

# **EXHIBIT 7**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF MARYLAND**

MARYLAND SHALL ISSUE, INC., *et al.*, \*

*Plaintiffs,* \*

v. \* Civil Case No. 16-cv-3311-ELH

LAWRENCE HOGAN, *et al.*, \*

*Defendants.* \*

\* \* \* \* \*

**DECLARATION OF CAPTAIN ANDY JOHNSON**

I, Captain Andy Johnson, under penalty of perjury, declare and state:

1. I am a Captain in the Maryland State Police (“MSP”). I am more than 18 years of age and am competent to testify, upon personal knowledge, to the matters stated below.

2. From September 1998 through the beginning of my service with MSP, I served in the Cecil County’s Sheriff’s Office, where I held the position of Deputy Sheriff and served as the agency range master and was responsible for firearms training for the entire department. In January 2002, I became a sworn officer with MSP. During the past 16 years, I have served in a variety of MSP units, including in routine patrol, drug enforcement, Assistant Barrack Commander, as Assistant Commander and Commander of the Firearms Enforcement Unit, Northern Command Commander of the Criminal Enforcement Division, and since August 2016 as the Commander of the Licensing Division.

3. As the Commander of the Licensing Division, I manage and oversee all day-to-day operations of the sworn and civilian personnel within the Licensing Division's Firearms Services Section and Professional Licensing Section. Within the Firearms Services Section is the Handgun Qualification License ("HQL") Unit, Firearms Registration Unit, Handgun Permit Unit, and the Inspection and Compliance Billing Unit.

4. The HQL Unit of the Firearms Services Section is responsible for processing HQL applications and is comprised of four sworn troopers and seven civilian personnel. Two civilian information technology personnel work across the Licensing Division.

5. In calendar year 2017, the Licensing Division received an average of 459 HQL applications each week. In the first quarter of calendar year 2018, the Licensing Division received an average of 583 applications each week. Attached to this Declaration as Exhibit 1 is the Licensing Division's Weekly Reports for the first quarter of calendar year 2018, which show the number of applications received each year and the average number of applications submitted weekly from 2015 through the first quarter of 2018.

6. Except in rare exigent circumstances, HQL applications are processed in the order they are submitted to MSP.

7. Processing of HQL applications begins with an initial review, which is conducted by civilian personnel. During the initial review, a civilian employee opens the application and assesses whether the application is properly completed, meaning that all of the statutory and regulatory requirements are met including the fingerprinting and training requirements.

8. When an initial reviewer determines that an application is complete, the reviewer conducts the statutorily-mandated background investigation in accordance with MSP Standard Operating Procedure 29-1403 (attached to this declaration as Exhibit 2). When an applicant is found not to have a criminal record during the initial review, the application is approved.

9. If any issues or questions arise during the statutorily-mandated background investigation, including if there is any indication that the applicant has a criminal record, the application is forwarded for a secondary review.

10. Secondary reviews are conducted by the sworn personnel within the HQL Unit in addition to two civilian personnel. During a secondary review, the reviewer investigates and determines whether the applicant has been convicted of a disqualifying offense.

11. MSP does not track the average time it takes to process HQL applications. Depending on the number of submitted applications awaiting review, completed applications that are approved during an initial review can be and have been processed within 24 hours of submission to MSP. The time to complete processing of a properly completed application during the secondary review varies depending on the time it takes to resolve any questions that arise during the background investigation, which can involve awaiting information about out-of-state convictions and related court documents.

12. During my tenure as Commander of the Licensing Division, every properly completed application that has been submitted to MSP has been processed and formally approved or disapproved within 30 days of being submitted to MSP. To the best of my

knowledge, every properly completed HQL application that has been submitted to MSP since October 1, 2013 when the HQL requirement went into effect has been processed and formally approved or disapproved within 30 days of being submitted to MSP.

13. The Licensing Division tracks the number of HQL applications pending disposition for over 15 days. Through the first quarter of calendar year 2018, there were no completed HQL applications pending disposition for longer than 15 days. *See* Exhibit 1.

14. Typically, an HQL card is produced within one to two days of the application's approval, and the card is mailed to the applicant at the address listed in the application.

15. The cost to process each HQL application exceeds \$50. The largest component of the cost to process each application is the salaries, benefits, and overtime costs to employ the civilian and sworn personnel in the HQL Unit who process HQL applications. Attached as Exhibit 3 to this Declaration is a spreadsheet (MSP001518) showing that the costs to employ these personnel was \$1,158,136.84 in 2017.

16. As shown in Exhibit 1, MSP received 23,888 HQL applications in 2017, of which only 566 were disapproved. Dividing the total cost of compensation for HQL personnel by the total number of processed applications, the average cost to review each HQL application is \$48.48.

17. Attached as Exhibit 4 to this Declaration is a spreadsheet (MSP003197) showing that the cost to produce each HQL is \$2.06, which accounts for the costs of the cards, printers, ink, and laminate. These production costs amounted to approximately

\$48,043 to produce cards associated with the 23,322 approved HQL applications in 2017. Spreading that cost of production over the total number of applications received, the production cost approximates \$2.01 per HQL application.

18. Accounting solely for the HQL personnel and card production costs, the cost per HQL in 2017 was at least \$50.49. This figure does not take into account the salary and benefits of MSP Command staff, including myself, who routinely deal with HQL issues; the computers and computer software used to process the applications; equipment for sworn personnel, including vehicles, fuel, and other costs; and infrastructure costs related to MSP's Licensing Division, including building expenses, electricity, and telephone service, among other expenses. Factoring in these other costs, the cost to administer the HQL program exceeds \$50.49 per application.

19. The fingerprint requirement of the HQL application promotes public safety, and thus furthers MSP's mission, in three key ways.

20. First, requiring that applicants submit their fingerprints helps ensure that MSP is able to positively identify HQL applicants at the time they apply for the HQL and prevents the use of false identification.

21. Second, requiring that applicants submit their fingerprints may prevent disqualified individuals from attempting to obtain an HQL and may prevent straw purchases of firearms by deterring otherwise law-abiding individuals from engaging in those transactions.

22. Third, unlike with a background check based solely on photographic identification, a fingerprint record can be used to identify if a holder of an HQL is convicted of a disqualifying offense subsequent to passing the initial background check.

23. In compliance with fingerprint rules promulgated by the Maryland Department of Public Safety and Correctional Services (“DPSCS”) in 2012 (attached to this Declaration as Exhibit 5), HQL applicants must have their fingerprints taken via livescan technology and submitted to DPSCS. Using the fingerprint record generated as part of the HQL application process, DPSCS is able to provide MSP with licensees’ updated criminal history information. This information enables MSP to revoke the HQLs of persons who become ineligible to possess them and to notify the Firearms Enforcement Unit, which is responsible for removing firearms from disqualified individuals. The Firearms Enforcement Unit investigates whether the person is still in possession of firearms and, if so, is responsible for retrieving those firearms.

24. Exhibit 6 to this Declaration is the revocation log that tracks the Arrest Disposition Report that Licensing Division regularly receives from the Department of Public Safety that contains criminal information connected with HQL applicants’ fingerprint records. HQL Unit personnel track the ensuing criminal case until disposition, and if the individual is convicted of a disqualifying offense, the Licensing Division revokes the HQL.

25. On November 17, 2017, MSP issued Advisory LD-HQL-17-003, which sets forth in a formal advisory that MSP has applied the ruling in *Chow v. State*, 393 Md. 431 (2006) interpreting “transfer” to interpret the definition of “receive” in Md. Code Ann.,

Pub. Safety § 5-117.1(c). The advisory is attached to this declaration as Exhibit 7. MSP views “transfer” and “receive” as equivalent for purposes of Maryland’s firearms laws and interprets “receive” as including the gratuitous permanent exchange of title or possession, but excluding temporary gratuitous exchanges or loans of handguns.

26. Advisory LD-HQL-17-003 reflects my understanding of how MSP has consistently interpreted the terms “receive” and “receipt” since the Office of the Attorney General interpreted them even prior to the enactment of the Firearm Safety Act in March 2013. A copy of the correspondence setting forth the Attorney General’s interpretation is attached to this Declaration as Exhibit 8.

27. On November 17, 2017, MSP issued Advisory LD-HQL-17-004, which sets forth in a formal advisory that MSP has approved the use of non-lethal, marking projectiles for the HQL live-fire training requirement. The Advisory is attached to this declaration as Exhibit 9.

28. Prior to the issuance of Advisory LD-HQL-17-004, MSP had approved the use of two types of these non-lethal, marking projectiles for the live-fire requirement in February and September 2016, respectively. Copies of the communications reflecting those approvals are attached to this Declaration as Exhibit 10.

29. Use of these non-lethal, marking projectiles does not require access to a firing range. In my experience, firing of non-lethal, marking projectiles is significantly quieter than firing of traditional ammunition, such that I do not wear ear protection when firing these rounds.

I declare and affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: 8/15/18

Capt. [Signature]  
Captain Andy Johnson  
Maryland State Police

## **Declaration Exhibit 1**



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## ing Division Weekly Report

[REDACTED]	[REDACTED]	680	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
New	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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\*FRU and HQL numbers denote real time figures as of 1/5/2018

DHMH Import Status  
01/05/2018 SuccessDays in Queue (Initial Review)  
(Not in Closed Status)

1 Day 5	2 Days 130	3 Days 168	4 Days 133	5 Days 0	6 Days 0	7 Days 0	Overdue 0
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[VIEW DETAILS](#)Days in Queue (Second Review)  
(Not in Closed Status)

1 Day 0	2 Days 0	3 Days 0	4 Days 21	5 Days 7	6 Days 0	7 Days 0	Overdue 0
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[VIEW DETAILS](#)

Select a Report to View

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## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 1/5/2018 10:31:16 AM

Date Forward Begin Date: 1/1/2018 7:00 AM

Date Forward End Date: 1/4/2018 10:00 PM

Date Forwarded	Total Applications
1/1/2018	28
1/2/2018	181
1/3/2018	169
1/4/2018	127

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## Licensing Division Weekly Report

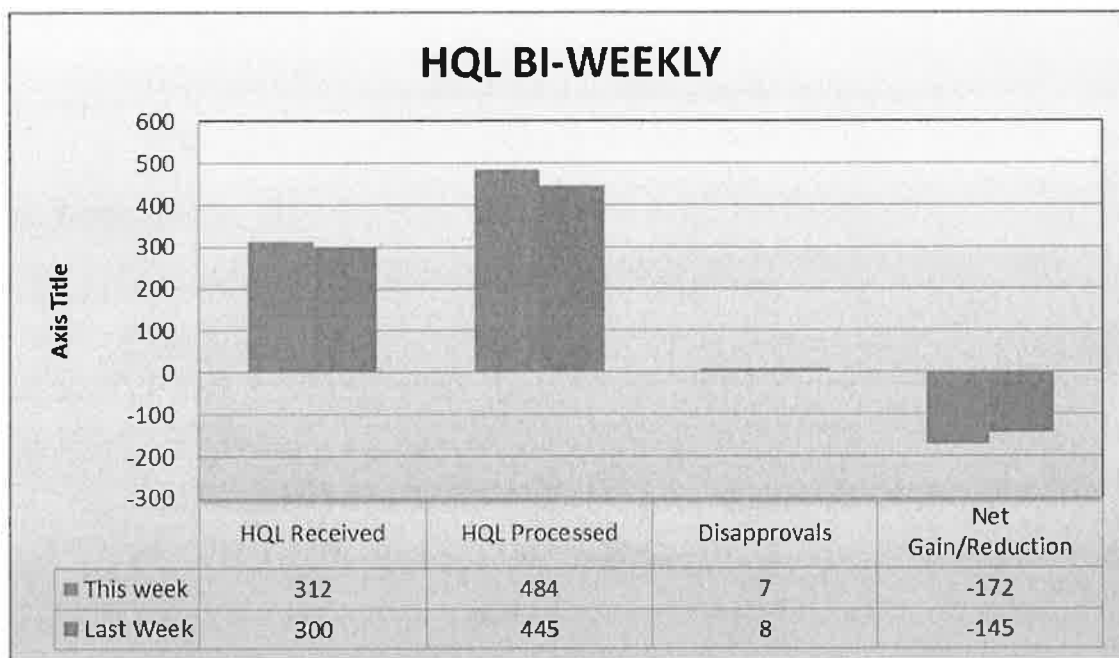
### Automation Portal:

Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received and processed 52,356 applications, and 47,404 citizens have logged in and created an account.

### Vacancies and Hiring Status:

Handgun Qualification License: Total Active HQL's since 10/1/2013: 90,661

HQL Currently has (0) zero applications over 15 days.



HQL Chart Covers 12/29/17-1/4/18

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**Maryland Department of State Police / Licensing Division**  
**1111 Reisterstown Road**  
**Pikesville, Maryland**  
**Office: (410) 653.4500 / Fax: (410) 653.4036**

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MSP003245

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## ing Division Weekly Report

[illegible]

**\*FRU and HQL numbers denote real time figures as of 1/12/2018**

DHMH Import Status  
01/12/2018 Success

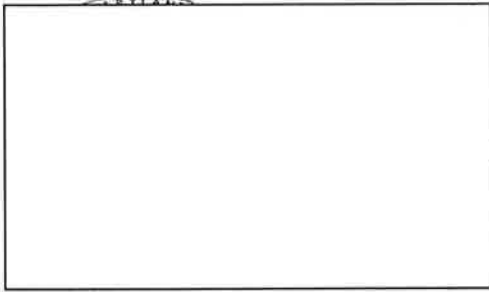
Days in Queue (Initial Review)  
(Not In Closed Status)[VIEW DETAILS](#)Days in Queue (Second Review)  
(Not in Closed Status)[VIEW DETAILS](#)

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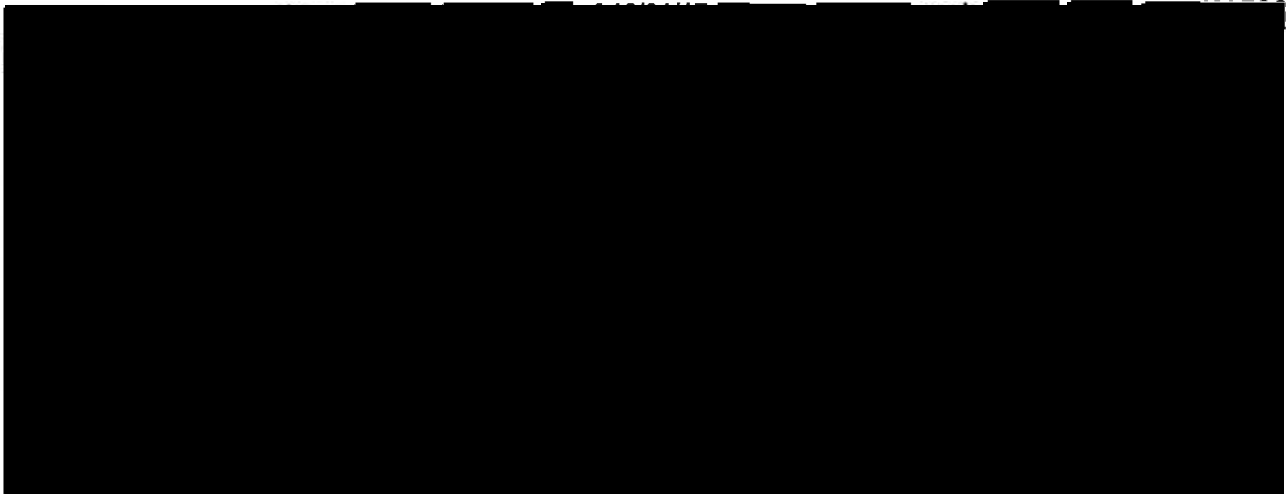
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## Licensing Division Weekly Report



### Automation Portal:

Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received and processed 53,940 applications, and 48,041 citizens have logged in and created an account.

### Vacancies and Hiring Status:



### Handgun Qualification License: Total Active HQL's since 10/1/2013: 90,999

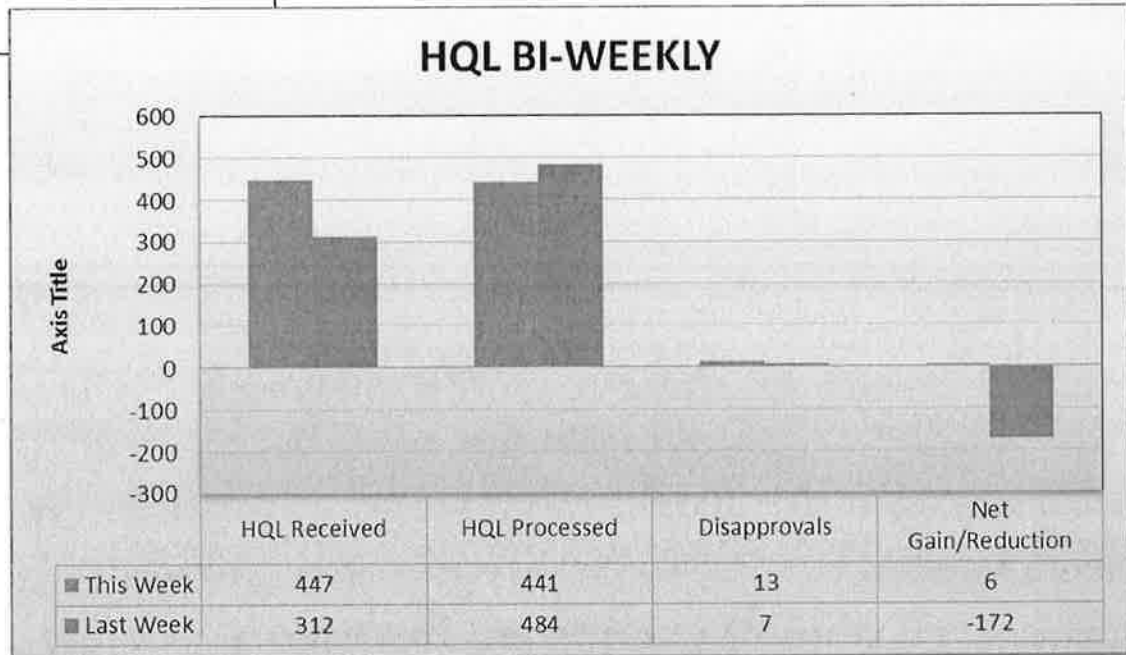
HQL Currently has (0) zero applications over 15 days.

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## Licensing Division Weekly Report



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[illegible]

DHMH Import Status  
01/19/2018 Success

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
6	143	131	55	0	0	0	0

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	0	0	48	14	0	0	0

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## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 1/19/2018 10:50:21 AM

Date Forward Begin Date: 1/12/2018 7:00 AM

Date Forward End Date: 1/18/2018 10:00 PM

Date Forwarded	Total Applications
1/12/2018	175
1/13/2018	220
1/14/2018	83
1/15/2018	110
1/16/2018	134
1/17/2018	131
1/18/2018	140

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MSP003251

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## Licensing Division Weekly Report

### Automation Portal:

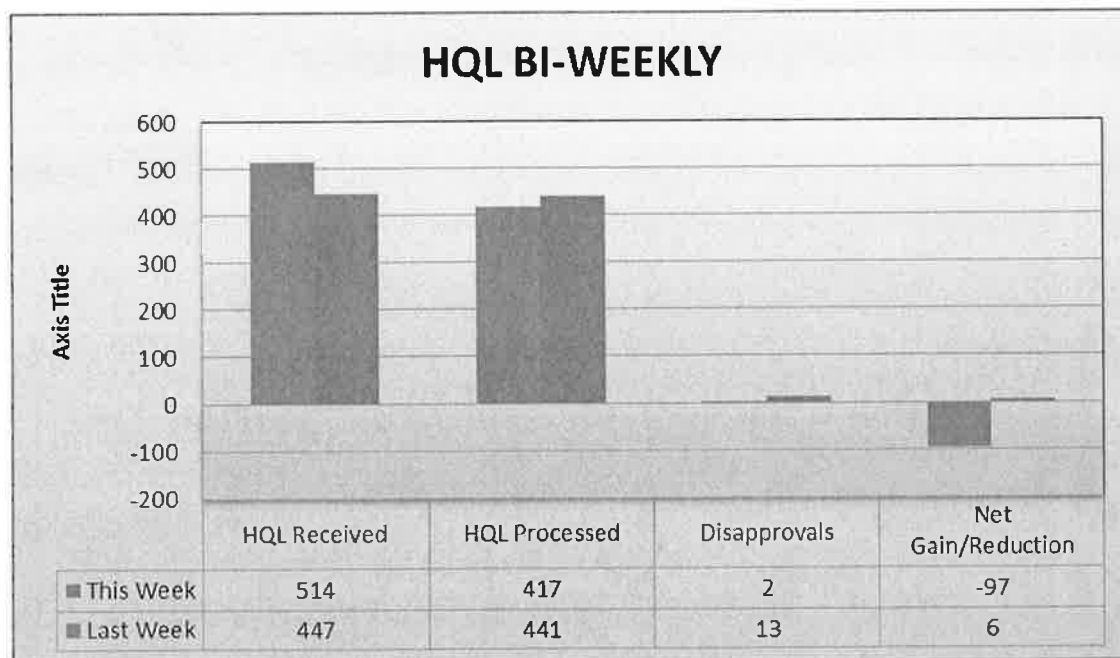
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received and processed 56,517 applications, and 48,701 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 91,513

HQL Currently has (0) zero applications over 15 days.



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MSP003253

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## Licensing Division Weekly Report

[REDACTED]	[REDACTED]	680	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
New	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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\*FRU and HQL numbers denote real time figures as of 1/26/2018

DHMH Import Status  
01/26/2018 Success

Days in Queue (Initial Review)  
(Not in Closed Status)

1 Day 4	2 Days 150	3 Days 100	4 Days 0	5 Days 0	6 Days 0	7 Days 0	Overdue 0
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VIEW DETAILS

Days in Queue (Second Review)  
(Not in Closed Status)

1 Day 0	2 Days 0	3 Days 20	4 Days 88	5 Days 15	6 Days 0	7 Days 0	Overdue 0
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**ing Division Weekly Report****Applications Received By Date**

Report Run Date: 1/26/2018 9:08:09 AM

Date Forward Begin Date: 1/19/2018 7:00 AM

Date Forward End Date: 1/25/2018 10:00 PM

Date Forwarded	Total Applications
1/19/2018	144
1/20/2018	214
1/21/2018	38
1/22/2018	130
1/23/2018	165
1/24/2018	139
1/25/2018	146



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## Licensing Division Weekly Report

### Automation Portal:

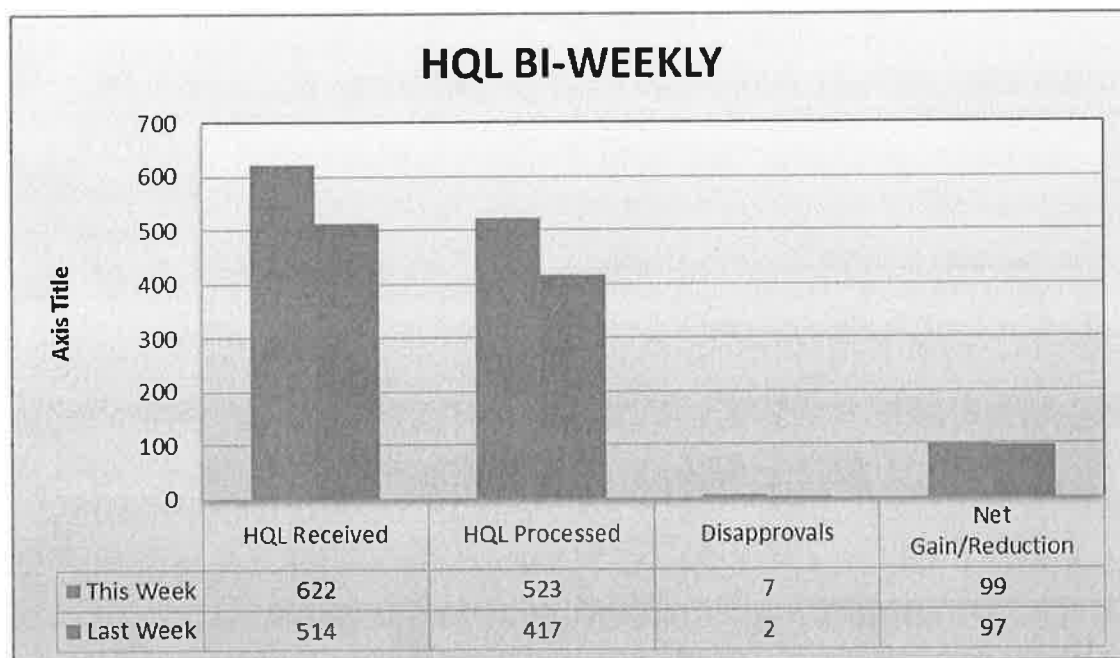
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received and processed 60,070 applications, and 49,341 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 91,930

HQL Currently has (0) zero applications over 15 days.



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## Licensing Division Weekly Report

Maryland Department of State Police / Licensing Division  
 1111 Reisterstown Road  
 Pikesville, Maryland  
 Office: (410) 653.4500 / Fax: (410) 653.4036

Licensing Division Weekly (5) Report 1/26/2018 through 2/01/2018	2015 Totals	2016 Totals	2017 Totals	2018 Totals	2015 Weekly Avg.	2016 Weekly Avg.	2017 Weekly Avg.	2018 Weekly Avg.	Current Week Totals (2018)
*FRS Total Apps Received	37,646	52,434	51,851	4,603	710	1,008	997	920	1,050
*FRS Disapprovals	397	261	175	10	7	5	3.4	2	1
*HQL New	20,160	28,039	23,888	2,257	380	539	459	451	523
*HQL Disapprovals	333	574	566	49	6	11	10.9	9.8	22
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[illegible]

MSP003258

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## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 2/2/2018 9:33:42 AM

Date Forward Begin Date: 1/26/2018 7:00 AM

Date Forward End Date: 2/1/2018 10:00 PM

Date Forwarded	Total Applications
1/26/2018	186
1/27/2018	183
1/28/2018	50
1/29/2018	119
1/30/2018	158
1/31/2018	171
2/1/2018	180

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## Licensing Division Weekly Report

### Automation Portal:

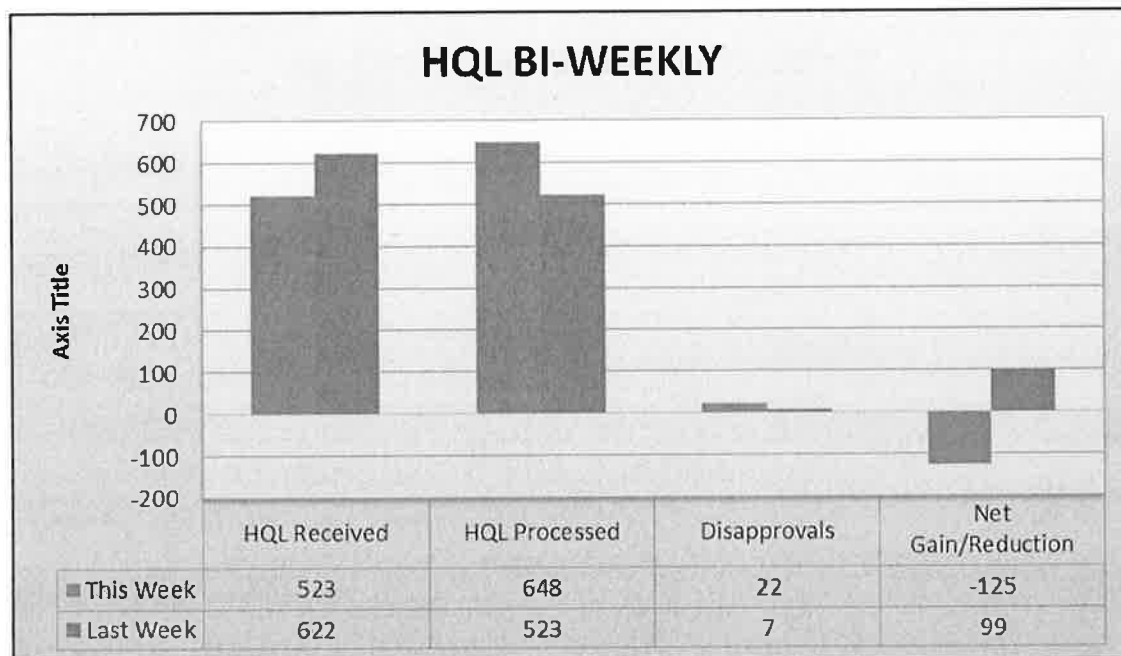
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received and processed 64,673 applications, and 50,050 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 92,556

HQL Currently has (0) zero applications over 15 days.



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## Licensing Division Weekly Report

# Applications Received By Date

Report Run Date: 2/9/2018 8:50:00 AM

Date Forward Begin Date: 2/2/2018 7:00 AM

Date Forward End Date: 2/8/2018 10:00 PM

Date Forwarded	Total Applications
2/2/2018	183
2/3/2018	243
2/4/2018	52
2/5/2018	140
2/6/2018	144
2/7/2018	137
2/8/2018	199

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## Licensing Division Weekly Report

### Automation Portal:

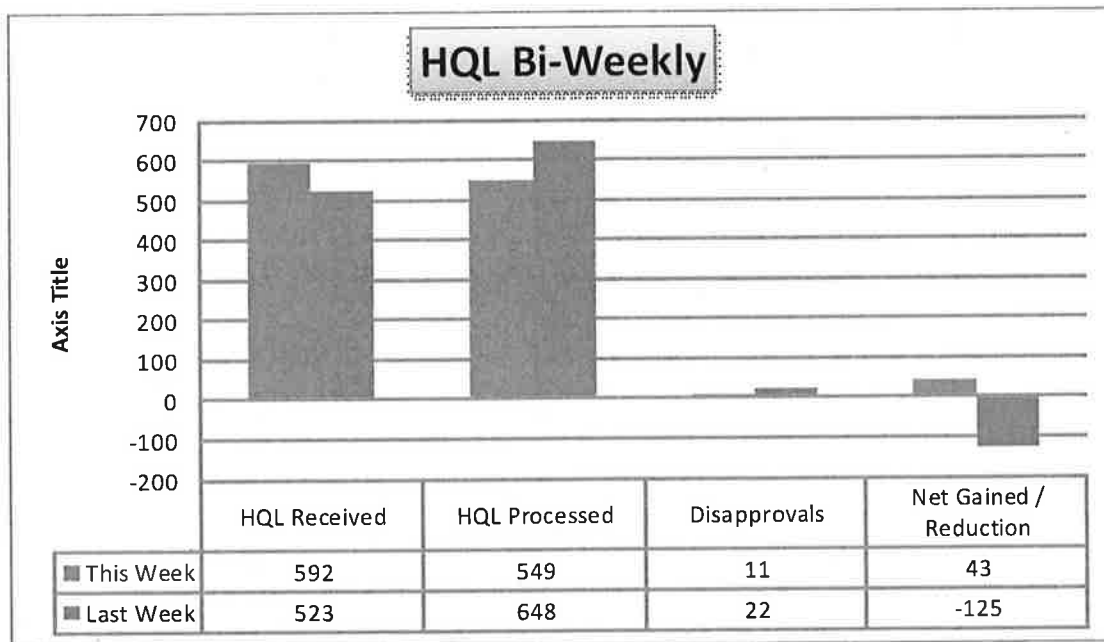
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 57,535 applications, and 50,777 citizens have logged in and created an account.

### Vacancies and Hiring Status:

[REDACTED]

Handgun Qualification License: Total Active HQL's since 10/1/2013: 93,094

HQL Currently has (0) zero applications over 15 days.



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## Licensing Division Weekly Report

Maryland Department of State Police / Licensing Division  
 1111 Reisterstown Road  
 Pikesville, Maryland  
 Office: (410) 653.4500 / Fax: (410) 653.4036

Licensing Division Weekly (7) Report 2/09/2018 through 2/15/2018	2015 Totals	2016 Totals	2017 Totals	2018 Totals	2015 Weekly Avg.	2016 Weekly Avg.	2017 Weekly Avg.	2018 Weekly Avg.	Current Week Totals (2018)
*FRS Total Apps Received	37,646	52,434	51,851	6851	710	1,008	997	978.7	1147
*FRS Disapprovals	397	261	175	13	7	5	3.4	1.8	2
*HQL New	20,160	28,039	23,888	3440	380	539	459	475	591
*HQL Disapprovals	333	574	566	68	6	11	10.9	10	8
██████████	████	████	████	████	██	██	██	██	██
██████████	████	████	████	████	██	██	██	██	██
██████████	██	██	██	1	1	██	██	██	██
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██████████	████	████	████	████	██	██	██	██	██
██████████	██	██	██	1	1	██	1	██	1
██████████	██	██	██	██	1	██	██	██	1
██████████	██	██	██	1	1	██	██	1	1
██████████	████	████	████	1	1	██	██	██	1
██████████	██	██	██	██	1	1	██	██	1
██████████	██	██	██	██	1	██	██	██	1
██████████	██	██	██	██	1	██	██	██	1

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[illegible]

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	197	131	146	64	0	0	0

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	0	1	0	50	29	5	0

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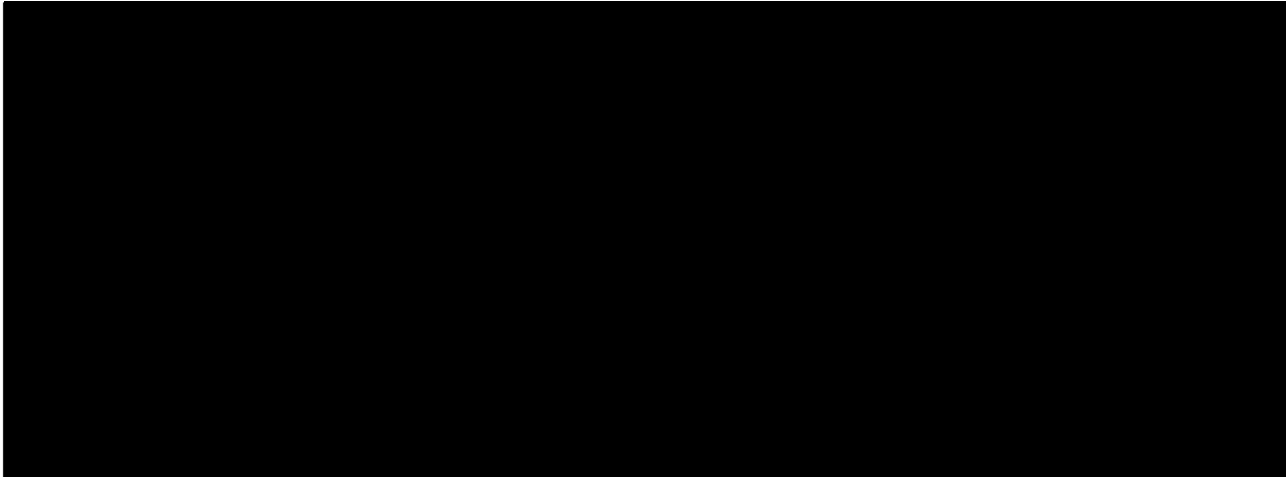
  
**Licensing Division Weekly Report****Applications Received By Date**

Report Run Date: 2/16/2018 6:51:45 AM

Date Forward Begin Date: 2/9/2018 7:00 AM

Date Forward End Date: 2/15/2018 10:00 PM

Date Forwarded	Total Applications
2/9/2018	217
2/10/2018	246
2/11/2018	56
2/12/2018	152
2/13/2018	147
2/14/2018	132
2/15/2018	197



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## Licensing Division Weekly Report

### Automation Portal:

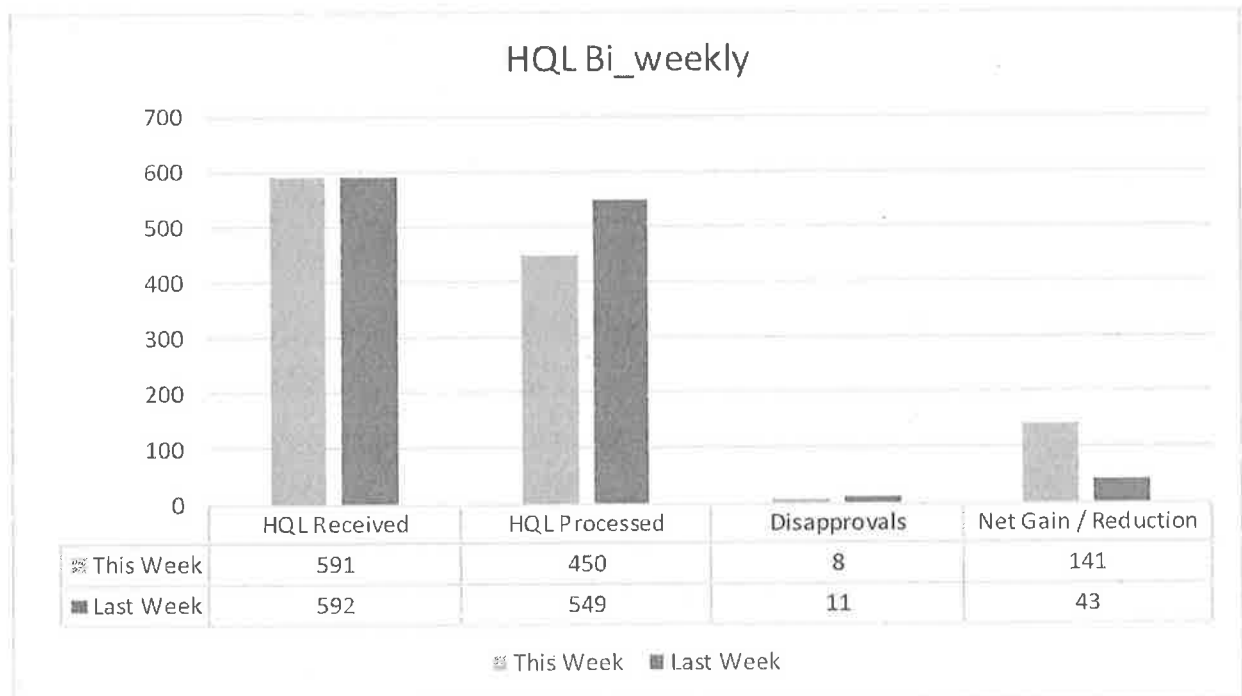
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 58,674 applications, and 51,958 citizens have logged in and created an account.

### Vacancies and Hiring Status:

[REDACTED]

Handgun Qualification License: Total Active HQL's since 10/1/2013: 93,536

HQL Currently has (0) zero applications over 15 days.



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[illegible]

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	249	235	236	139	1	0	0

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	0	0	0	5	31	30	0

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**ing Division Weekly Report**

# **Applications Received By Date**

Report Run Date: 3/2/2018 5:38:46 AM

Date Forward Begin Date: 2/23/2018 7:00 AM

Date Forward End Date: 3/1/2018 10:00 PM

Date Forwarded	Total Applications
2/23/2018	314
2/24/2018	266
2/25/2018	55
2/26/2018	153
2/27/2018	237
2/28/2018	238
3/1/2018	249

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## Licensing Division Weekly Report

### Automation Portal:

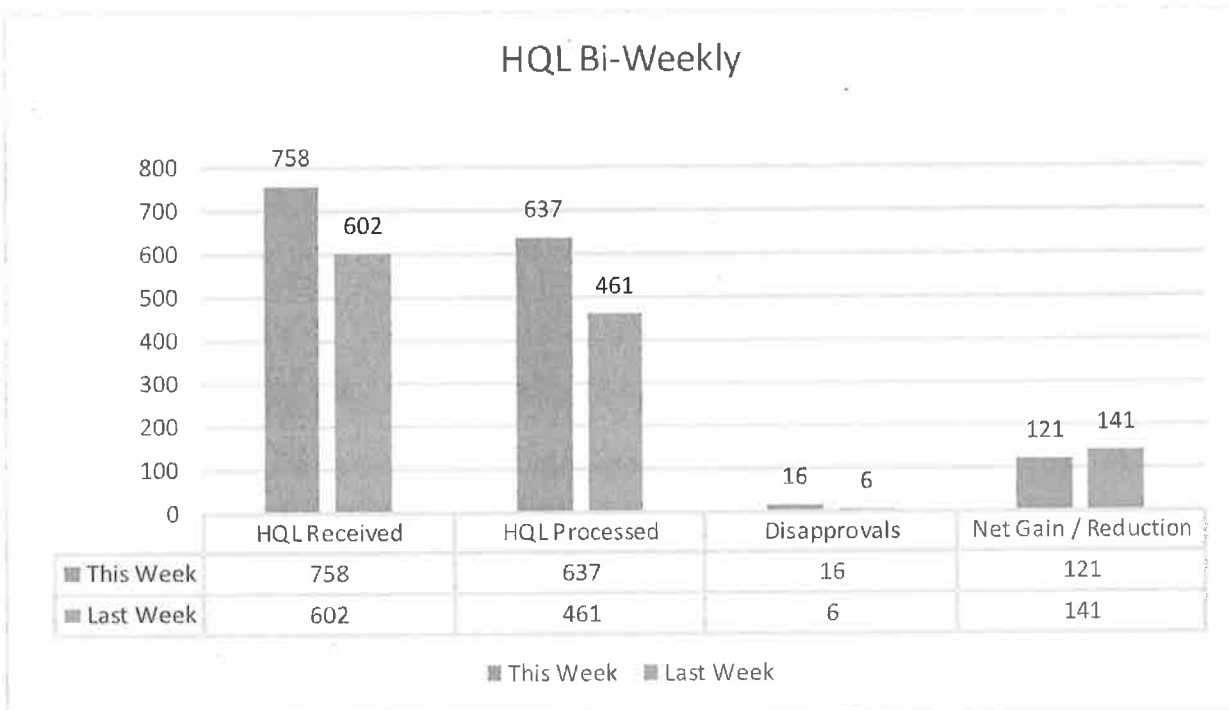
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 61,212 applications, and 53,681 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 94,612

HQL Currently has (0) zero applications over 15 days.



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## ing Division Weekly Report

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**\*FRU and HQL numbers denote real time figures as of 3/9/2018**

Days in Queue (Initial Review)  
(Not in Closed Status)[VIEW DETAILS](#)Days in Queue (Second Review)  
(Not in Closed Status)[VIEW DETAILS](#)

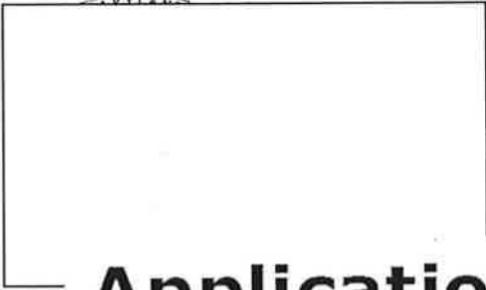
For the week of **3-2-2018 to 3-8-2018** the average processing time for **FRU** applications from acceptance to final disposition is: Total **4.93** Days, Initial Review Only: **4.43** days, second review **5.38** Days

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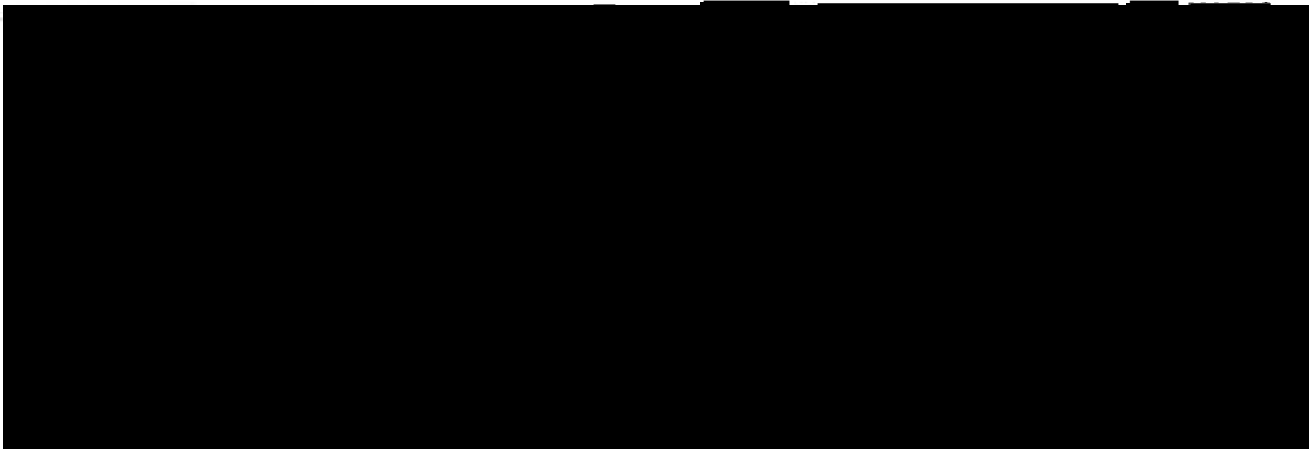
  
**Licensing Division Weekly Report****Applications Received By Date**

Report Run Date: 3/9/2018 5:39:09 AM

Date Forward Begin Date: 3/2/2018 7:00 AM

Date Forward End Date: 3/8/2018 10:00 PM

Date Forwarded	Total Applications
3/2/2018	264
3/3/2018	321
3/4/2018	78
3/5/2018	205
3/6/2018	238
3/7/2018	231
3/8/2018	222



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## Licensing Division Weekly Report

### Automation Portal:

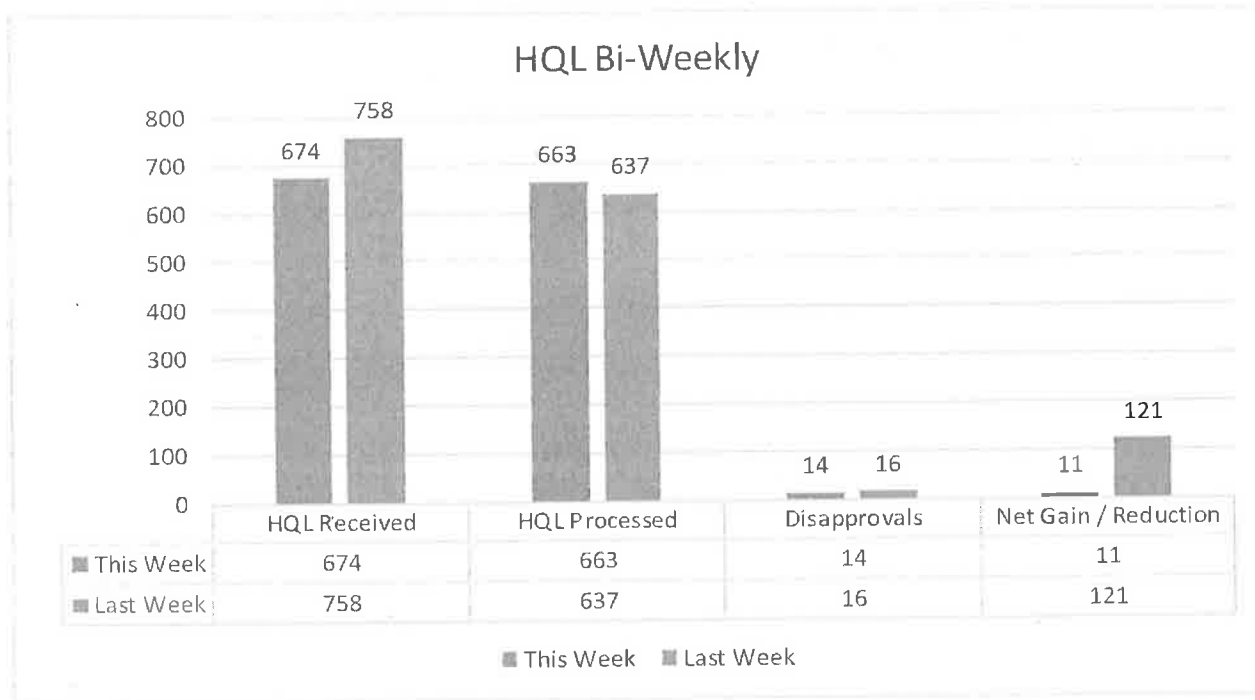
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 62786 applications, and 54,742 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 95,261

HQL Currently has (0) zero applications over 15 days.



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**Maryland Department of State Police / Licensing Division**  
**1111 Reisterstown Road**  
**Pikesville, Maryland**  
**Office: (410) 653.4500 / Fax: (410) 653.4036**

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MSP003277

[illegible]

MSP003278

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## Licensing Division Weekly Report

# Applications Received By Date

Report Run Date: 3/16/2018 5:53:50 AM

Date Forward Begin Date: 3/9/2018 7:00 AM

Date Forward End Date: 3/15/2018 10:00 PM

Date Forwarded	Total Applications
3/9/2018	288
3/10/2018	289
3/11/2018	73
3/12/2018	153
3/13/2018	215
3/14/2018	209
3/15/2018	235

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## Licensing Division Weekly Report

### Automation Portal:

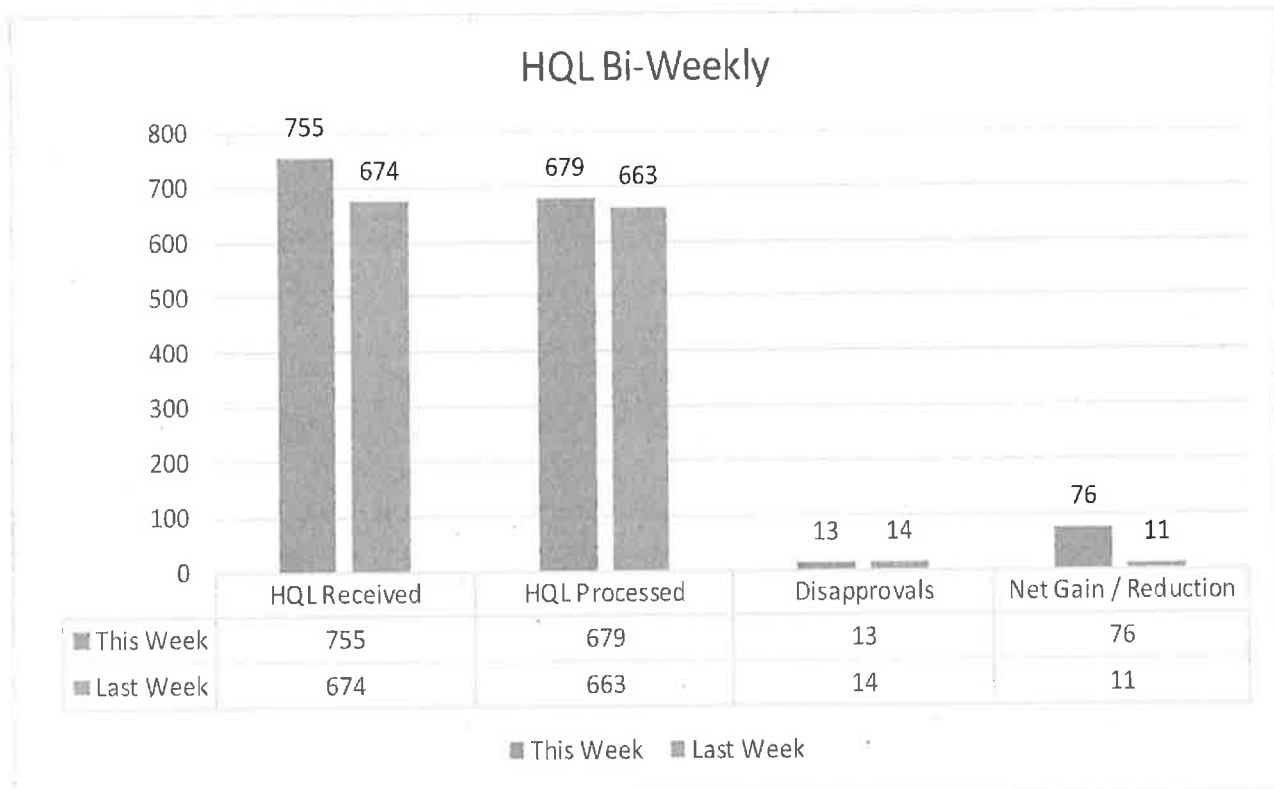
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 64,222 applications, and 55,742 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 95,927

HQL Currently has (0) zero applications over 15 days.



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[illegible]

MSP003282

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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 3/23/2018 5:39:30 AM

Date Forward Begin Date: 3/16/2018 7:00 AM

Date Forward End Date: 3/22/2018 10:00 PM

Date Forwarded	Total Applications
3/16/2018	318
3/17/2018	242
3/18/2018	61
3/19/2018	185
3/20/2018	196
3/21/2018	68
3/22/2018	218

Total Active Wear and Carry Permit Holders as of 3/2/18 (Will be updated each month when next MAFSS

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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

### Automation Portal:

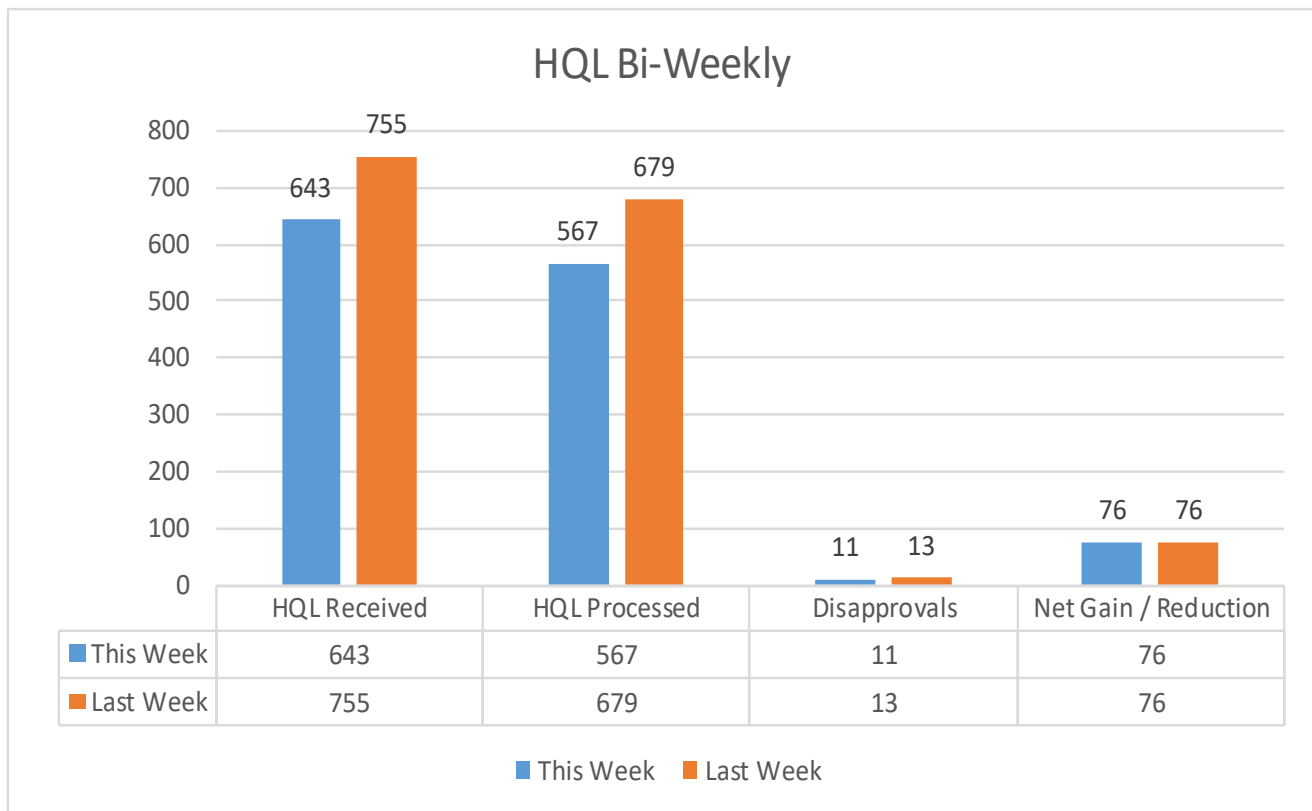
Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 65,498 applications, and 56,574 citizens have logged in and created an account.

### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 96,483

HQL Currently has (0) zero applications over 15 days.



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[illegible]

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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 3/30/2018 9:33:49 AM

Date Forward Begin Date: 3/23/2018 7:00 AM

Date Forward End Date: 3/29/2018 10:00 PM

Date Forwarded	Total Applications
3/23/2018	291
3/24/2018	289
3/25/2018	51
3/26/2018	179
3/27/2018	247
3/28/2018	212
3/29/2018	233



#### Automation Portal:

Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 67,212 applications, and 57,541 citizens have logged in and created an account.

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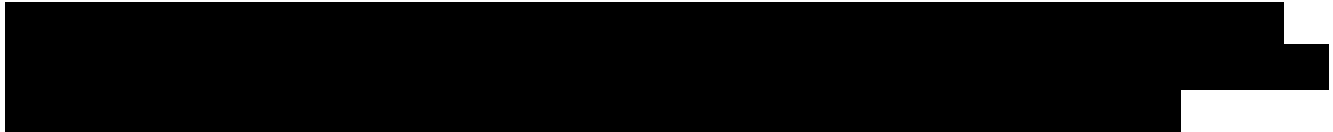
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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

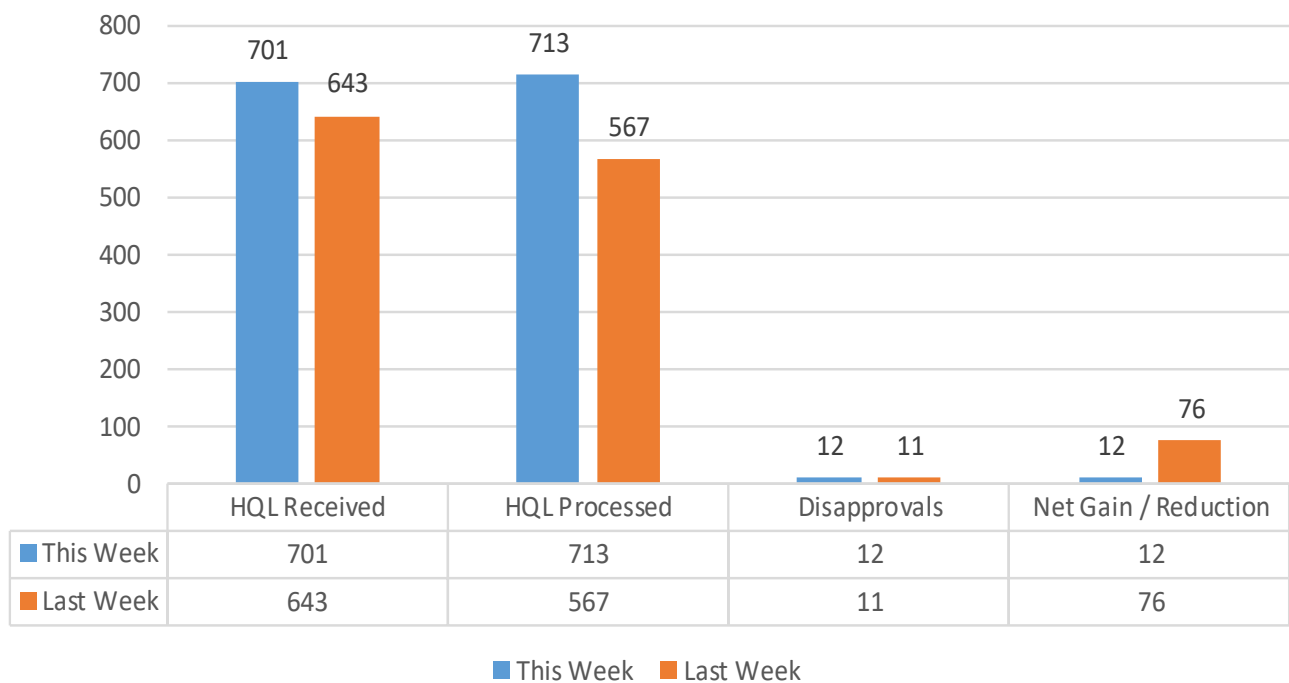
### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 97,094

HQL Currently has (1) one application over 15 days.

HQL Bi-Weekly



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MSP003289

[illegible]

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1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	183	181	208	84	0	0	0

1 Day	2 Days	3 Days	4 Days	5 Days	6 Days	7 Days	Overdue
0	0	0	0	45	5	20	0

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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

### Applications Received By Date

Report Run Date: 4/6/2018 6:47:18 AM

Date Forward Begin Date: 3/30/2018 7:00 AM

Date Forward End Date: 4/5/2018 10:00 PM

Date Forwarded	Total Applications
3/30/2018	263
3/31/2018	219
4/1/2018	13
4/2/2018	165
4/3/2018	210
4/4/2018	181
4/5/2018	182

[REDACTED]

[REDACTED]

#### Automation Portal:

Licensing Portal launched on 1/1/2017. To date the Licensing Portal has received 68,435 applications, and 58,288 citizens have logged in and created an account.

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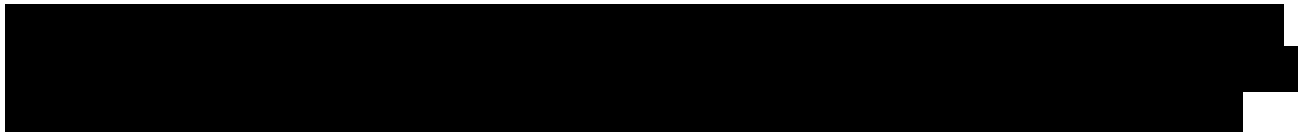
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# MARYLAND STATE POLICE

## Licensing Division Weekly Report

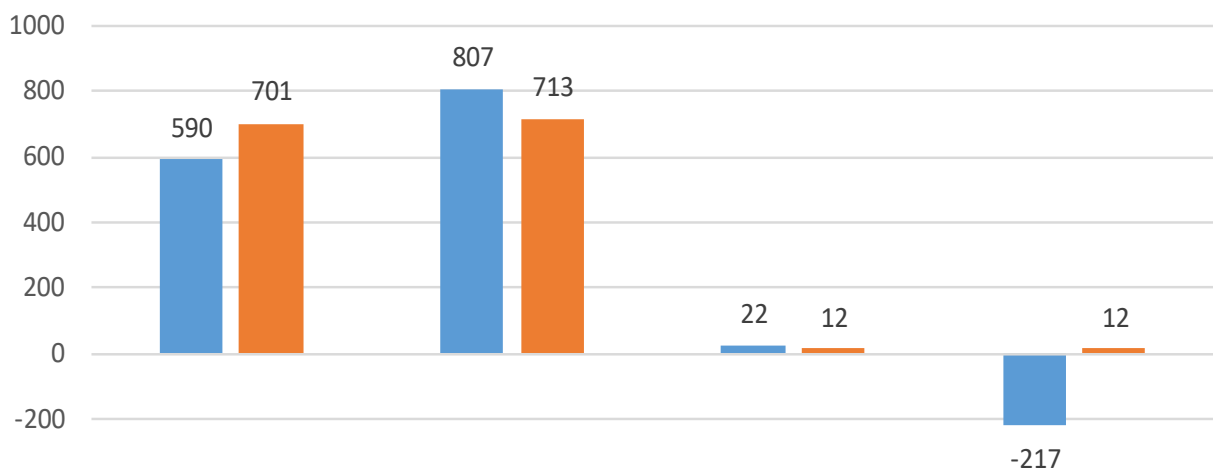
### Vacancies and Hiring Status:



Handgun Qualification License: Total Active HQL's since 10/1/2013: 97,879

HQL Currently has (0) applications over 15 days.

HQL Bi-Weekly



	HQL Received	HQL Processed	Disapprovals	Net Gain / Reduction
■ This Week	590	807	22	-217
■ Last Week	701	713	12	12

■ This Week ■ Last Week

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## **Declaration Exhibit 2**



**Licensing Division  
STANDARD OPERATING PROCEDURE**



**Processing of Qualified Handgun Qualification License Applications**

<b>Distribution:</b>		Licensing Division		<b>Index:</b>		29-1403	
<b>Responsible Unit:</b>		HQL Unit		<b>Rescinds:</b>		None	
<b>DLI Program:</b>		DLI#		<b>MD Code:</b>		COMAR	
<b>Issued:</b>	10/01/2013	<b>Revised:</b>	N/A	<b>Reviewed:</b>	N/A	<b>Next Review:</b>	10/01/2014

### **.01 Purpose**

To delineate policy and procedures for the processing of applications for the Handgun Qualification License in accordance with Public Safety Title 5(117.1) (Firearms Safety Act of 2013) and COMAR 29.03.01.

### **.02 Policy**

The Maryland State Police will, to the best of their ability, process all Applications for Handgun Qualification Licenses (HQL) in compliance with State and Federal laws and regulations; will conduct the most effective and comprehensive background checks possible to determine eligibility to obtain a HQL; and will maintain quality control checks on processed HQL applications.

### **.03 References**

Annotated Code of Maryland, Public Safety Title 5,  
Annotated Code of Maryland, Criminal Law Title 4,  
Criminal Law Title 4, Code of Maryland Regulations (COMAR) Title 29.

### **.04 Required Fees**

- A. HQL Standard-\$50
- B. HQL Training Exempt-\$50
- C. HQL Permit Exempt- No Fee
- D. Replacement Card- \$20
- E. HQL Renewal-\$20
- F. New Resident-\$15
- G. Qualified Handgun Instructor- No Fee

### **.05 Background**

- A. Firearms Safety Act of 2013 provides for the prohibition of certain assault weapons and bans the sale of gun magazines that have a capacity of more than 10 rounds of ammunition; requires a person selling, purchasing, renting, transferring, or receiving a certain regulated firearm possess

SOP 29-1403

## Handgun Qualification License Duties and Responsibilities

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a handgun qualification license (providing for certain exceptions to the requirements, i.e. active or retired military and police with valid credentials) and requires within 90 days of establishing permanent residency, a new resident to register regulated firearms.

- B. The Firearms Services Section & Licensing Division is responsible for processing applications for the Handgun Qualification Licenses and the Qualified Handgun Instructor Licenses and/or Certificates. The application is used to record the application and subsequent sale, rental or transfer of a regulated firearm by a person licensed as a regulated firearms dealer; record the application and subsequent sale, rental or transfer of a regulated firearm between persons who are not licensed as regulated firearms dealers (secondary sales); record a gift of a regulated firearm from one immediate family member to another; and record the voluntary registration of a regulated firearm.

### .06 Definitions

---

- A. Adjudicated Delinquent - An act that was found to be a delinquent act, as defined in Courts and Judicial Proceedings Article, §3-801(k), Annotated Code of Maryland, at an adjudicatory hearing, as defined in Courts and Judicial Proceedings Article, §3-801(b), Annotated Code of Maryland.
- B. Application and Affidavit to Purchase a Regulated Firearm - The Secretary shall adopt an application form(s) to be used by an individual who desires to sell, rent, transfer or voluntarily register a regulated firearm. The forms are as follows:
1. MSP 77R-1 Part 1 page 1 (10-2013) of the Application to Purchase a Regulated Firearm.
  2. MSP 77R-1 Part 1 page 2 (10-2013) of the Application to Purchase a Regulated Firearm.
  3. MSP 77R- 2 (10-2013) of the Application to Purchase a Regulated Firearm.
  4. MSP 77C – (10-2013) Continuation Application & Affidavit to Purchase Multiple Regulated Firearms.
  5. MSP 77M – (10-2013) Application for a Multiple Purchase of a Regulated Firearms.
  6. MSP 77D- Application for Mandatory Registration of Regulated Firearms.

### ~~C. Application Fees~~

- ~~1.) A processing fee of \$50.00 is required for the Handgun Qualification License.~~
- ~~2.) A renewal fee of \$20 is required for the Handgun Qualification License after its 10 year expiration.~~
- ~~3.) A replacement fee of \$20 is required for the replacement of any lost, stolen, or misplaced Handgun Qualification Licenses.~~
- ~~2.) A processing fee of \$15.00 is required for the Application for Mandatory Registration of Regulated Firearm (77D).~~

SOP 29-1403

## **Handgun Qualification License Duties and Responsibilities**

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- D. Background Investigation – A computerized investigation conducted by members of the Handgun Qualification License Unit (HQLU) to determine an applicant's eligibility, based on State and Federal laws and regulations, to purchase a regulated firearm and to determine the status of the firearm, stolen or wanted.

The computer databases queried are as follows:

1. Computerized Criminal History (CCH) - The Computerized Criminal History (CCH) System is the State Central Repository for data on subjects arrested for felony and misdemeanors.
2. Criminal Justice Information System (CJIS) - A computerized state fingerprint supported Criminal Justice Information System; a counterpart to the FBI's National Crime Information Center (NCIC) which offers a much wider range of information nationwide and the opportunity for a more precise inquiry search than NCIC, capturing charged and adjudicated individuals.
3. Criminal History Record Information (CHRI) – A computerized Criminal History Record Information System that offers data initiated or collected by a criminal justice agency on a person pertaining to reportable events such as arrests, convictions and incarcerations. It does not include court records of public judicial proceedings, but prepares a chronological criminal history for an offender.
4. Maryland Department of Health and Mental Hygiene (DHMH) – A computer database maintained by DHMH containing only those individuals who are prohibited by Maryland law from purchasing or possessing a regulated firearm due to a mental health-related issue.
5. Maryland Department of Parole and Probation (DPP) – A computer database maintained by DPP providing background on supervised probationers and parolees who are serving or completing court imposed sentences in the community and those awaiting trial as pre-trial detainees, inmates and parolees.
6. Maryland Department of Juvenile Services (DJS) – A computer database maintained by DJS known as the Automated Statewide System of Information Supported Tools (ASSIST) that contains information on individuals younger than 30 years old at the time of application and have been adjudicated delinquent by a juvenile court for a prohibiting offense.
7. Maryland District Court Judicial Information System (JIS) – A computerized database maintained by the District Court of Maryland that contains information originating within the Maryland District Court system and the Circuit Court of Baltimore City in reference to the following:
  - a. Criminal Arrest Warrants and summons obtained through the District Court, and
  - b. Criminal charges and district court dispositions.

SOP 29-1403

## **Handgun Qualification License Duties and Responsibilities**

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8. Maryland Automated Firearms Services System (MAFSS) – A computer database developed, maintained and updated to provide real time regulated firearm purchases and transfer information to law enforcement and criminal justice agencies in furtherance of their official responsibilities.
9. Maryland Motor Vehicle Administration (MVA) – A computer database utilized to determine state residence, validity of the identification supplied [USC Chapter 44, Section 922(t) (c)], proper identifiers and the existence of alcohol offenses and dispositions.
10. National Crime Information Center (NCIC) - The United States' central database for tracking crime-related information that is interlinked with similar systems that each state maintains. NCIC makes available a variety of records to include:
  - a. Persons with active arrest warrants,
  - b. Missing persons,
  - c. Persons with active (final) protection orders,
  - d. Violent gang organizations and membership,
  - e. Terrorist organizations and membership,
  - f. Secret Service protective alerts,
  - g. Convicted Sex Offenders,
  - h. Foreign Fugitives,
  - i. Immigration violators,
  - j. Parolees or people on Supervised Release,
  - k. Firearms records, including lost or missing firearms, and
  - l. Stolen property.
11. National Instant Check System (NICS) – A computerized system that checks available records in the National Crime Information Center (NCIC), the Interstate Identification Index (III) and the NICS Index to determine if prospective transferees are disqualified from receiving firearms.
  - a. National Instant Check System Index – A computerized source of records provided by local, state and federal agencies about persons prohibited from receiving firearms under federal law. All records in the NICS Index are federally disqualifying records and will prohibit the applicant from receiving firearms. The categories are as follows:
    - i. Illegal Aliens or those in the country illegally,

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## **Handgun Qualification License Duties and Responsibilities**

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- ii. Individuals who have renounced their citizenship,
  - iii. Individuals adjudicated mentally defective or committed to a mental institution,
  - iv. Individuals dishonorably discharged from the United States armed forces,
  - v. Unlawful users of or those addicted to controlled substances, and
  - vi. Individuals disqualified and record not in NCIC, III or NIC Index
- b. NICS Delay- an open transaction (non-canceled transaction) where a final determination in the investigation of the applicant has not been made. Continued research is necessary to determine if the applicant has prohibiting offenses. This response is sent to NICS in response to the NTN Number that is provided to the POC.
- c. NICS Denied – a denial of a firearm transfer based on the background investigation performed by the POC (State). This response is sent to NICS when a prohibitive offense has been determined against the applicant.
- d. NICS Proceed – the transaction showing that no prohibitive offenses have been located in reference to the applicant. The license may be issued. This response is sent to NICS after the background check has been completed and no other prohibitions exist.
- e. POC (Point of Contact) – The state of Maryland is the point of contact for NICS transactions on all regulated firearms and Handgun Qualification Licenses.
12. Interstate Identification Index (III) – NCIC Triple I is defined as the cooperative federal-state system (index-pointer) for the exchange of criminal history records, and includes the National Identification Index (NII), the National Fingerprint File (NFF), and, to the extent of their participation in such system, the criminal history record repositories of the states and the FBI.
- ~~E. Dealer – Any person who is engaged in the business of: selling, renting or transferring firearms at wholesale or retail; or repairing firearms.~~
- F. Common Law - A system of law that is derived from judges' decisions (which arise from the judicial branch of government), rather than statutes or constitutions (which are derived from the legislative branch of government).
- G. Conviction – A plea or verdict of guilty, a plea of Nolle Contendre, or a plea of Probation before Judgment when associated with crimes of violence or a crime designated as domestic violence, except when associated with 2<sup>nd</sup> degree assault.
- H. Crime of violence means:
- 1. Abduction,

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## **Handgun Qualification License Duties and Responsibilities**

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2. Arson in the first degree,
  3. Assault in the first or second degree,
  4. Burglary in the first, second or third degree,
  5. Carjacking and armed carjacking,
  6. Escape in the first degree,
  7. Kidnapping,
  8. Voluntary manslaughter,
  9. Maiming as previously prescribed under former Article 27, § 386 of the Code,
  10. Mayhem as previously prescribed under former Article 27, § 384 of the Code,
  11. Murder in the first or second degree,
  12. Rape in the first or second degree,
  13. Robbery,
  14. Robbery with a dangerous weapon,
  15. Sexual offense in the first, second or third degree,
  16. An attempt to commit any of the crimes listed in items (1) through (15) of this subsection;  
or
  17. Assault with intent to commit any of the crimes listed in items (1) through (15) of this subsection or a crime punishable by imprisonment for more than 1 year.
- I. Dealer - Any person who is engaged in the business of: selling, renting or transferring firearms at wholesale or retail; or repairing firearms.
1. Sole proprietor - is an unincorporated business with one owner who pays personal income tax on profits from the business.
  2. LLC - The limited liability company is a hybrid legal entity that has both the characteristics of a corporation and of a partnership. An LLC provides its owners with corporate-like protection against personal liability.
- J. Dealer Sale – The sale, rental or transfer of a regulated firearm by a business licensed as a Maryland Regulated Firearms Dealer.
- K. Designated law enforcement agency - A law enforcement agency that the Secretary designates

## **Handgun Qualification License Duties and Responsibilities**

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to process applications to purchase regulated firearms for secondary sales.

**L. Disqualifying crime means:**

1. A crime of violence,
2. A violation classified as a felony in the State; or
3. A violation classified as a misdemeanor in the State that carries a statutory penalty of more than two (2) years,
4. A case in which a person received probation before judgment for a crime of violence, and
5. A case in which a person received probation before judgment in a domestically related crime as defined in SS6-233 of the Criminal Procedure Article.
  - a. "Convicted of a disqualifying crime" does not include a case in which a person receives probation before judgment:
    - (I) for assault in the second degree; or
    - (II) was expunged under title 10, subtitle 1 of the criminal procedure article.

**M. Disapproved – The issuance of a Handgun Qualification License shall be denied for cause if the:**

1. Application contains false information or statements made by the applicant,
2. Application has not been completed as prescribed by the Secretary, i.e.
  - a. Lacking required training or lacking exemptions as are outlined under Public Safety Title 5 (117.1)
  - b. Lacking Live Scan entry upload into the Index
3. Secretary receives written notification from the applicant's licensed attending physician stating the applicant is suffering from a mental disorder or disorders and is a danger to himself or herself or to others,
4. Applicant has ever been convicted of:
  - a. A crime of violence,
  - b. Any violation classified as a felony in this State,
  - c. Any violation classified as a misdemeanor in this State that carries a statutory penalty of more than two (2) years, or

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## **Handgun Qualification License Duties and Responsibilities**

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- d. Any violation classified as a common law offense when the person received a term of imprisonment of more than two (2) years,
  - e. Applicant is a fugitive from justice,
  - f. Applicant is addicted to or a habitual user of any controlled dangerous substance,
  - g. Applicant is a habitual drunkard,
  - h. Applicant is less than 21 years old,
  - i. Applicant has spent more than 30 consecutive days in a mental institution for treatment of a mental disorder or disorders; disapproval of the application may be waived, however, if there is attached to the application a physician's certification issued within 30 days of the date of the application that certifies that the applicant is capable of possessing a regulated firearm without undue danger to the applicant or others,
  - j. Applicant is a respondent against whom a current non ex-parte civil protection order has been issued under Family Law Article, §4-506, Annotated Code of Maryland, or
  - k. Applicant is younger than 30 years old at the time of application and has been adjudicated delinquent by a juvenile court for:
    - i. A crime of violence,
    - ii. Any violation classified as a felony in this State, or
    - iii. Any violation classified as a misdemeanor in this State that carries a statutory penalty of more than two (2) years.
- N. Felony - A serious crime, usually punishable by a state or federal prison term of more than one year or, in some cases, by death.
- O. Firearm – Any weapon (including a starter gun) which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive, or the frame or receiver of any such weapon.
- P. Fugitive from justice - A person who has fled to avoid prosecution or giving testimony in a criminal proceeding.
- Q. Gift – The purchase of a regulated firearm by the applicant for a spouse, parent, grandparent, grandchild, brother, sister, son or daughter who is a resident of this State.
- R. Habitual Drunkard – A person who has been found guilty of any three crimes under § 21-902(a), (b), or (c), of the Transportation Article, one of which occurred in the past year.
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## **Handgun Qualification License Duties and Responsibilities**

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- S. Habitual User - A person who has been found guilty of two controlled dangerous substance crimes, one of which occurred in the past five (5) years.
- T. Handgun – A handgun means any firearm with a barrel less than 16 inches in length including signal, starter and blank pistols.
- U. Handgun Qualification License- A license issued by the Secretary that authorizes a person to purchase, rent, or receive a handgun.
- V. Handgun Qualification License Applicant - A person who completes an HQL application.
- W. Handgun Qualification License Application- An application to receive a Handgun Qualification License.
- X. Handgun Qualification License Unit – A Unit of the Maryland State Police Support Services Bureau, Licensing Division. Handgun Qualification License Unit processes the Handgun Qualification License, the New Resident application, and the Qualified Handgun Instructors Certificate and License.
- Y. Hit – Any type of computer entry, with the exception of a Maryland Motor Vehicle Administration report, found while conducting a background investigation.
- Z. Incompetent to Stand Trial – A finding that a person is not able to understand the nature or object of a judicial proceeding or able to assist in one's defense.
- AA. Manufacturer – Any person who possesses a federal license to engage in the business of manufacturing firearms or ammunition for sale or distribution. The term shall include any person who engages in such business on a part-time basis.
- AB. Mental Disorder - A behavioral or emotional illness that results from a psychiatric or neurological disorder and includes a mental illness that substantially impairs the mental or emotional functioning of a person as to make care or treatment necessary or advisable for the welfare of the person or for the safety of the person or property of another. Mental Disorder does not include mental-retardation.
- AC. Minor/Juvenile – A minor/juvenile means any person under the age of 18 years.
- AD. Misdemeanor - A crime, less serious than a felony, punishable by no more than one year in a county or local jail and/or a fine.
- AE. Nolle Contendre - A plea entered by the defendant in response to being charged with a crime that neither admits nor denies that a crime was committed, but agrees to a punishment (usually a fine or jail time) as if guilty. In Maryland, a plea of Nolle Contendre is not a prohibitor but must be determined by which state accepted the plea.
- AF. Nolle Prosequi - Latin for "we shall no longer prosecute" is entered at trial and captured on the record by a prosecutor in a criminal case stating that the matter will no longer be pursued.
- AG. Not Criminally Responsible – If at the time of criminal conduct the defendant, because of a mental disorder or mental retardation, lacks substantial capacity to: appreciate the criminality of that

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## **Handgun Qualification License Duties and Responsibilities**

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conduct; or conform that conduct to the requirements of law.

- AH. Office of Administrative Hearings (OAH) -The Office of Administrative Hearings (OAH) was created in 1990 to centralize and professionalize the administrative hearing process between citizens and businesses dissatisfied with an action of the State government that now allows the aggrieved to have their cases heard by Administrative Law Judges, who are independent of the agency whose action is being contested.
- AI. Open Disposition – An arrest that is not closed by a disposition, the disposition cannot be immediately determined or a disposition cannot be located.
- AJ. Placed on Further Review – The status of an application where a “HIT” has been found by civilian personnel during a computerized background check and the application has been forwarded to sworn personnel for further investigation. Reasons for further review are as follows:
1. Any type of a criminal record and/or criminal charge regardless of disposition or lack of disposition,
  2. Applicant is awaiting trial for any type of criminal proceeding,
  3. Warrant, fugitive, and/or applicant is under indictment,
  4. Applicant is addicted to or an unlawful/habitual user of controlled dangerous substances,
  5. Any alcohol related offenses, automobile manslaughters or homicides, suspensions or revoked driver's licenses that are listed in MVA,
  6. Applicant has been adjudicated as a mental defective, suffers from a mental disorder, and/or has been committed to a mental institution,
  7. Applicant is less than 21 years of age,
  8. Applicant is a respondent of a current non ex-parte or final civil protective order,
  9. Applicant is a respondent of a current interim or temporary ex-parte order,
  10. Applicant has been the subject of a petition for an emergency evaluation,
  11. Applicant is an illegal alien,
  12. A MAFSS check reveals that the applicant was Placed On Review, Placed On Hold, and/or Disapproved in the past,
  13. Dishonorable discharge from the armed forces,
  14. Applicant, having been a citizen of the United States, has renounced his/her citizenship,
  15. Miles NCIC response indicates that “the subject record will be automated as a result of your request and will be made available via the Interstate Identification Index...”

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## Handgun Qualification License Duties and Responsibilities

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16. Firearm is reported as stolen/wanted.
- AK. Probation Before Judgment (PBJ) - Provides a means for a first offender to avoid having a conviction entered against him or her. The court, after a plea of guilty or Nolle Contendre, defers judgment of a conviction and places the offender on probation for a period of time, and if the offender complies with the terms and conditions at the end of the period of probation, no conviction will be entered on the record.
- AL. Protective Order - **Interim** - A civil order of protection issued by the District Court Commissioner when the District Court is closed that is in effect until the Temporary Protection Order hearing or the end of the second business day on which the Office of the Clerk of the District Court is open.
- AM. Protective Order - **Temporary** - A civil order of protection issued by the Circuit or District Court judge that is in effect for no more than seven (7) days after the service of the order or may be extended by the court for a period not to exceed 30 days.
- AN. Protective Order - **Final** - A civil order of protection issued by the Circuit or District Court judge that is in effect for up to 12 months after the service of the order or may be extended by the court for a period not to exceed six (6) months.
- AO. Qualified Handgun Instructor- means a certified firearms instructor who:
- (1) is recognized by the Maryland Police and Correctional Training commissions,
  - (2) has a qualified handgun instructor license issued by the Secretary; or
  - (3) has a certification issued by a nationally recognized firearms organization.
- AP. ~~Quality Assurance Control Reviews: Secondary reviews of HQL Applications and Affidavits to Purchase a Regulated Firearm which were received by the Licensing Division Handgun Qualification License Unit Firearms Registration Section. The reviews consist of repeating the investigation (except for the NICS check) conducted by HQL personnel the Office Service Clerks and reviewing the data contained in the MAFSS record to ensure accuracy of data entry and dispositions.~~
- AP. Rent - The temporary transfer for consideration of a regulated firearm that is taken from the property of the owner of the regulated firearm.
- AQ. Regulated Firearm - A regulated firearm means: Any handgun as defined in Public Safety Title 5-101(n) or any assault weapon as defined in Public Safety Title 5-101(r) or their copies, regardless of which company produced and manufactured that assault weapon.
- ~~AR. Regulated Firearms Dealer (RFD) - Any person who possesses a valid Maryland regulated firearms dealer's license issued by the Secretary of the Maryland Department of State Police.~~
- AS. Sale by Regulated Firearms Dealer - No regulated firearms dealer shall sell, rent or transfer any regulated firearm until after seven days following the time a firearm application is executed by the prospective purchaser or transferee, in triplicate, and the original copy is forwarded by the prospective seller or transferor to the Secretary.
- AT. Secondary Sale - A sale of a regulated firearm in which neither party to the sale is a licensee; is licensed by the federal government as a firearms dealer; devotes time, attention and labor to dealing in firearms as a regular course of trade or business with the principal objective of earning a profit through the repeated purchase and resale of firearms; or repairs firearms as a regular course of trade or business.

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## **Handgun Qualification License Duties and Responsibilities**

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- AU. Secretary-The Secretary of the Maryland Department of State Police or the Secretary's designee.
- AV. Statutory Law-Written law (as opposed to oral or customary law) set down by a legislature or other governing authority such as the executive branch of government in response to a perceived need to clarify the functioning of government, improve civil order or to codify existing law.
- AW. STET- An order staying all proceedings in an action.
- AX. Straw Purchase -A sale of a regulated firearm in which a person uses another, known as the straw purchaser, to: complete the application to purchase a regulated firearm; take initial possession of the regulated firearm; and subsequently transfer the regulated firearm to the person.
- AY. Transfer- The movement of a firearm from one point, (such as a Regulated Firearms Dealer to another or such as an individual or between individuals).
- AZ. Voluntary Registration—The registration of a regulated firearm that is not required by Maryland State statute to be registered in the Maryland Automated Firearms Services System (i.e., Firearm(s) that were legally purchased in another state by an individual who resided in that state who has now established residency in the State of Maryland and moved their estate belongings into the State of Maryland; or an individual who possesses regulated firearms or other types of firearms not previously registered in the State of Maryland who desires to register it).

### **.07 Responsibilities**

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- A. The sworn members of the Handgun Qualification Unit will conduct background checks on all HQLs that are requiring a secondary check. Should the workload deem it necessary, the sworn members of the Handgun Qualification Unit will conduct start to finish background checks on HQLs. In addition the sworn members of the unit will be responsible for any additional administrative duties that are assigned to them.
- B. The civilian employees are responsible for completing initial background checks on applications that are received. They will also be responsible for assisting the customers of the Unit who make contact by phone or by e-mail. In addition the civilians will be assigned supporting roles to other sections as is deemed necessary, due to workloads, and mandates.

### **.08 Procedures**

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#### **See Desktop Procedures**

- A. Standard Handgun Qualification License
- B. Training Exempt Handgun Qualification License
- C. Permit Exempt Handgun Qualification License
- D. Qualified Handgun Instructor
- E. New Resident

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## **Handgun Qualification License Duties and Responsibilities**

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- F. Printing HQL Duplicate Licenses
- G. Printing HQL Licenses in Batches
- H. Billing Audit of CyberSource
- I. HQL Application Review and Quality Assurance Process
- J. HQL Disapproval Process
- K. HQL Revocation Process
- L. Compatibility Fix for Internet Explorer
- M. Instructions for Windows 10

## **Declaration Exhibit 3**

MSP Licensing Division HQL Section  
Sworn and Civilian Personnel Compensation 2017

Sworn Name	Salary	FICA (7.28%)	Unemployment (0.28%)	Retirement (8.73%)	Health Insurance (\$10,547)	Retiree Health (\$6,117)	Clothing Allowance (\$1,500)	Total	OT Rate	OT Hours	Total OT Pay	Total
Sgt. Jeremy Burns	\$ 85,208.00	\$ 1,235.52	\$ 238.58	\$ 71,344.66	\$ 10,547.00	\$ 6,117.00	\$ 1,500.00	\$ 176,190.76	\$ 61.21	248	\$ 15,180.74	\$ 191,371.49
Cpl. Gerald Askins	\$ 72,143.00	\$ 1,046.07	\$ 202.00	\$ 60,405.33	\$ 10,547.00	\$ 6,117.00	\$ 1,500.00	\$ 151,960.41	\$ 51.83	88	\$ 4,560.76	\$ 156,521.17
Senior Trooper Ricardo Amoroso	\$ 72,146.00	\$ 1,046.12	\$ 202.01	\$ 60,407.85	\$ 10,547.00	\$ 6,117.00	\$ 1,500.00	\$ 151,965.97	\$ 51.83	137	\$ 7,100.58	\$ 159,066.55
Cpl. Michael Smith	\$ 73,947.00	\$ 1,072.23	\$ 207.05	\$ 61,915.82	\$ 10,547.00	\$ 6,117.00	\$ 1,500.00	\$ 103,589.17	\$ 53.12	36	\$ 1,912.42	\$ 105,501.60
<b>SUB-TOTAL</b>	\$ 303,444.00	\$ 4,399.94	\$ 849.64	\$ 254,073.66	\$ 42,188.00	\$ 24,468.00	\$ 6,000.00	\$ 583,706.31			\$ 28,754.50	\$ 612,460.81
<b>Civilian Name</b>	<b>Salary</b>	<b>FICA (7.28%)</b>	<b>Unemployment (0.28%)</b>	<b>Retirement (19.74%)</b>	<b>Health Insurance (\$10,547)</b>	<b>Retiree Health (\$6,117)</b>	<b>Clothing Allowance (\$0)</b>	<b>Total</b>				
Diane Armstrong	\$ 39,341.00	\$ 2,864.02	\$ 110.15	\$ 7,765.91	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 66,745.09	\$ 28.26	57	\$ 1,610.95	\$ 68,356.04
Monique Mitchell	\$ 40,298.00	\$ 2,933.69	\$ 112.83	\$ 7,954.83	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 67,963.35	\$ 28.95		\$ -	\$ 67,963.35
Tierida Greene	\$ 34,536.00	\$ 2,514.22	\$ 96.70	\$ 6,817.41	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 60,628.33	\$ 24.81	100.5	\$ 2,493.44	\$ 63,121.77
Mona Smith	\$ 39,162.00	\$ 2,850.99	\$ 103.65	\$ 7,730.58	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 66,517.23	\$ 28.13	47	\$ 1,322.28	\$ 67,839.51
Samuel Michaelson	\$ 34,536.00	\$ 2,514.22	\$ 96.70	\$ 6,817.41	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 60,628.33	\$ 24.81		\$ -	\$ 60,628.33
Diane Duckett	\$ 27,048.00	\$ 1,969.09	\$ 75.73	\$ 5,339.28	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 51,096.10	\$ 19.43		\$ -	\$ 51,096.10
Dellene Lizana	\$ 27,048.00	\$ 1,969.09	\$ 75.73	\$ 5,339.28	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 51,096.10	\$ 19.43		\$ -	\$ 51,096.10
Brett Stevens	\$ 77,699.00	\$ 5,656.49	\$ 217.56	\$ 15,337.78	\$ 10,547.00	\$ 6,117.00	\$ -	\$ 115,574.83	\$ 55.82		\$ -	\$ 115,574.83
<b>SUB-TOTAL</b>	\$ 319,668.00	\$ 23,271.83	\$ 895.07	\$ 63,102.46	\$ 84,376.00	\$ 48,936.00	\$ -	\$ 540,249.36			\$ 5,426.67	\$ 545,676.03
<b>TOTALS</b>	\$ 623,112.00	\$ 27,671.77	\$ 1,744.71	\$ 317,176.12	\$ 126,564.00	\$ 73,404.00	\$ 6,000.00	\$ 1,123,955.67			\$ 34,181.16	\$ 1,158,136.84

MSP001518

## **Declaration Exhibit 4**



## **Declaration Exhibit 5**

# IMPORTANT PRIORITY MESSAGE

## IMMEDIATE ACTION REQUIRED

Licensing Division  
1111 Reisterstown Road  
Pikesville, MD 21208  
March 12, 2012

**TO: APPLICANTS FOR SERVICES PROVIDED BY THE MARYLAND STATE POLICE LICENSING DIVISION**

**RE: NEW FINGERPRINT PROCEDURES EFFECTIVE MARCH 19, 2012**

**EFFECTIVE March 19, 2012**, The Maryland Department of State Police will no longer accept federal and/or state fingerprint cards from Applicants for Permits, Licenses, Commissions or any other type of certification or identification related to Licensing Division activities and/or responsibilities. In addition, the Federal Bureau of Investigation (FBI) has reduced the amount they charge for fingerprint and name based criminal history records checks. The fee change is effective March 19, 2012.

The Maryland Department of Public Safety and Correctional Services, the entity that processes both State and Federal fingerprint cards (inked and rolled type), has notified the Maryland State Police that they will only process electronic submissions of fingerprints beginning on April 15, 2012. The Federal Bureau of Investigation prompted this action as they, at the direction of their Director, will no longer accept fingerprint cards for comparison purposes. Due to fee changes and operational preparations for the April 15<sup>th</sup> move away from fingerprint cards, the Department of State Police will begin the transition on March 19, 2012.

**EFFECTIVE MARCH 19, 2012, ALL FINGERPRINTS MUST BE SUBMITTED ELECTRONICALLY VIA AN APPROVED SITE OR VENDOR. FOR FURTHER INFORMATION PLEASE USE THE BELOW LINK TO REVIEW THE NEW POLICIES AND PROCEDURES PRESENTED BY THE MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AS WELL AS THE LOCATION OF AVAILABLE SITES FOR ELECTRONIC FINGERPRINTING:**

<http://www.dpscs.state.md.us/publicservs/fingerprint.shtml>

APPLICATIONS MUST BE POSTMARKED AS SENT TO THE LICENSING DIVISION WITHIN 72 HOURS OF FINGERPRINTS BEING ELECTRONICALLY SUBMITTED THROUGH AN ELECTRONIC FINGERPRINT PROCESSING CENTER. IF YOUR APPLICATION IS NOT SUBMITTED WITHIN 72 HOURS IT MAY BE RETURNED TO THE APPLICANT. This is important as the value of fingerprints submitted decreases over time and results become unusable after 30 calendar days.

**IMPORTANT NOTE:** ATTACH THE RECEIPT PROVIDED BY THE FINGERPRINT PROCESSING CENTER TO THE FRONT LEFT UPPER CORNER OF THE FIRST PAGE OF THE APPLICATION WHEN SUBMITTING. THE TRACKING NUMBER PROVIDED ALLOWS PERSONNEL TO LOCATE AND ACCESS FINGERPRINT COMPARISON RESULTS AMONG ALL THAT ARE RECEIVED BY THE DIVISION. Applications received without the receipt may not be processed in a timely manner or at all in some cases. Authorization codes for the various requests are available at the Electronic Fingerprint Processing Centers.

**IF YOUR APPLICATION IS RECEIVED BY THE LICENSING DIVISION, AND WE DO NOT RECEIVE NOTIFICATION THAT THE FINGERPRINTS HAVE BEEN SUBMITTED WITHIN FIVE BUSINESS DAYS, YOUR APPLICATION WILL BE RETURNED**

RE: **NEW FINGERPRINT PROCEDURES EFFECTIVE MARCH 19, 2012**

March 12, 2012

Page 2 of 2

**FEES TO THE LICENSING DIVISION ARE NON REFUNDABLE.** FEES PAID TO THE ELECTRONIC FINGERPRINT PROCESSING CENTER DO NOT INCLUDE THOSE FEES OWED TO THE LICENSING DIVISION FOR THE PROCESSING OF THE ACTUAL APPLICATION. THE FINGERPRINT PROCESSING CENTERS ARE UNDER PRIVATE OWNERSHIP AND THEIR FEES COULD VARY. THE DEPARTMENT MARYLAND STATE POLICE IS NOT AFFILIATED WITH THE ELECTRONIC FINGERPRINT PROCESSING CENTERS AND DO NOT REGULATE NOR RECEIVE OR BENEFIT FROM ANY FEE THAT THEY MAY CHARGE. PLEASE ENSURE YOU HAVE CALCULATED YOUR FEES CORRECTLY. CHECKS OR MONEY ORDERS SENT TO THE MARYLAND STATE POLICE SHOULD NOT INCLUDE FEES FOR FINGERPRINTS ELECTRONICALLY CAPTURED AFTER MARCH 19, 2012, UNLESS PAPER FINGERPRINT CARDS HAVE BEEN SUBMITTED BY OUT-OF-STATE APPLICANTS.

One exception to the above procedure exists. If you are an applicant who maintains a primary residence outside of Maryland AND this address is supported by an out-of-state driver's license you may continue to submit State and Federal fingerprint cards. FBI-Approved Channelers may be used by out of state applicants required to submit FBI fingerprint cards as in the case of renewals. Approved Channelers may be found on the FBI web site. All other applicants who submit fingerprint cards obtained after March 19, 2012, will have their application rejected.

#### **FINGERPRINT FEE CODES**

Below are the codes to be used when having your fingerprints taken for submission to the Maryland Department of Public Safety and Correctional Services in response to a request for services from the Maryland State Police Licensing Division.

- |  |            |
|--|------------|
| 1. Handgun Permit .....                                    | 9400082484 |
| 2. Security Guard (Individual) .....                       | 9300000802 |
| 3. Private Detective (Individual) .....                    | 9400082495 |
| 4. Security Agency/Private Detective Agency (Company)..... | 9400082495 |
| 5. Special Police/Railroad Police Commissions .....        | 9400082506 |
| 6. Security Systems Agency/Security Systems Technicians... | 9700004860 |
| 7. Regulated Firearms Dealer .....                         | 9400082473 |
| 8. Class III .....   | 9400082473 |

**IMPORTANT PRIORITY MESSAGE**

**IMMEDIATE ACTION REQUIRED**

## **Declaration Exhibit 6**

FIRST_NAME	LAST_NAME	SID	DATE_OF_BIRTH	LICENSE_NO	NOTES
				HQL-2015-009590	could not find any criminal records
				HQL-2016-003796	DNR charge - fail to display current valid - Guilty
				HQL-2015-005539	Assault 1st; Assault 2nd; Dangerous Weapon-Int/Injure - Nolle Pros on all charges
				HQL-2015-001752	Assault 1st; Assault 2nd; Reckless Endangerment; Firearm Use/Fel-viol crime
					Disorderly conduct & CDS;Poss Paraphernalia - Guilty but not prohibitors; Threat/St Official/To Injure-Stet; CDS;Possession-Marihuana-Guilty not a prohibitor; CDS;Poss Paraphernalia-NP; CDS-Possession-Marihuana-NP
				HQL-2015-013270	child abuse 2nd degree PBJ-completed; Assault 2nd Nolle Pros
				HQL-2015-005552	disorderly conduct Nolle Pros; Fail Obey Renbid/Lawfi Nolle Pros
				HQL-2015-005470	disorderly conduct Nolle Pros; Fail Obey Renbid/Lawfi Nolle Pros
				HQL-2015-006078	assault 2nd Stet; Theft less 1,000 Stet
				HQL-2014-006536	Assault 1st-NP; Assault 2nd-GUILTY; Reckless Endangerment-NP; Firearm Use-Fel:Viol Crime-NP - HQL REVOKED
				HQL-2015-008706	Burglary 3rd; Trespass:Private Property; Harass; A Course of Conduct; MDOP \$1,000
				HQL-2015-002229	assault 2nd Nolle Pros; assault 2nd PBJ unsupervised
				HQL-2017-002975	Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime
				HQL-2014-011049	Assault 1st-PBJ; Handgun in Vehicle-NP; Firearm Use/Fel-Viol Crime-NP; Theft less \$1,000-NP; Armed Robbery-NP; Robbery-NP; Reckless Endangerment-NP - HQL REVOKED
					Assault 1st-NP; Assault 2nd-JA; HGV Use/Fel-Viol Crime-NP; Handgun on Person-JA; Reckless Endangerment-JA; Harrass-JA; Stalking-JA
				HQL-2016-008641	Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime - All dispositions dismissed
				HQL-2014-004621	Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime - All dispositions dismissed
				HQL-2015-015074	Theft less than \$100 - NP
				HQL-2015-017582	Assault 1st -NP; Assault 2nd; Theft 1,000-10,000 -Judgment of Acquital
				HQL-2014-005022	Rape Second Degree - GUILTY - HQL REVOKED
				HQL-2016-004220	Assault 1st-NP; Assault 2nd-GUILTY; Reckless Endangerment-NP - HQL REVOKED
				HQL-2014-006176	Sex Abuse Minor; Sex Offense 3rd; Sex Offense 4th-Vag Int 14/15; Child Abuse: 2nd-Cust
				HQL-2017-019753	no open criminal records found
				HQL-2015-006213	Assault 1st-Dismissed; Assault 2nd-PBJ Unsupervised; CDS Possess Not Marijuana-Dismissed
				HQL-2017-009980	Assault 1st; Firearm Use/Fel-Viol Crime; Assault 2nd; Reckless Endangerment - All Charges NP
				HQL-2017-017489	no open criminal records found
				HQL-2017-015464	no open criminal records found
				HQL-2014-009677	domestic violence order denied
				HQL-2016-007879	Attempted Robbery; Battery; MDOP +300; Handgun - all NP; Battery Stet
				HQL-2016-016601	Assault 2nd; Assault 1st - Both charges NP
				HQL-2017-003584	no open criminal records found
				HQL-2017-013474	no open criminal records found
				HQL-2014-007810	Assault 1st; Assault 2nd; Handgun in Vehicle; Handgun on Person; Reckless Endangerment
				HQL-2014-014551	Murder 2nd; Manslaughter; Firearm Use/Felony/Violent Crime - All Charges NG
				HQL-2015-007845	Assault 1st; Assault 2nd
				HQL-2017-001022	Assault 2nd-Stet; Reckless Endangerment-Stet
				HQL-2016-021632	could not find any criminal records
				HQL-2014-001657	Assault 2nd - GUILTY - HQL REVOKED
				HQL-2017-023049	no open criminal records found

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HQL-2017-018030	no open criminal records found	
HQL-2017-011368	no open criminal records found	
HQL-2015-002776	Assault 2nd - NP	
HQL-2013-002515	<b>GUILTY - Assault 1st Degree / PBJ on 5/11/15 - HQL REVOKED</b>	
HQL-2015-013608	Assault 1st; Assault 2nd; Assault 2nd - first 2 dismissed, third stet	
HQL-2017-013510	no open criminal records found	
	Assault 1st Not Guilty; Assault 2nd Not Guilty; Reckless Endang Not Guilty; Misconduct in Ofc Not Guilty	
HQL-2014-012801	CDS:Poss-Marijuana - Stet	
HQL-2016-010885	<b>GUILTY - Assault Second Degree</b>	
HQL-2016-001372	Assault 1st-NP; Assault 2nd-No disposition	
HQL-2017-002918	no active criminal cases found	
HQL-2017-000116	no criminal records found	
HQL-2017-011241	Assault 1st; Assault 2nd; Handgon on Person; Handgun in Vehicle; Firearm Use/Fel-Viol Crime	
	theft less 1,000 PBJ unsupervised-not a prohibitor per Durkee (max sentence 18 mos); assault 1st Nolle Pros; assault 2nd Stet	
HQL-2014-006237	no open criminal records found	
HQL-2017-020700	Motor Veh/Unlawful taking; U/U Livestock MV Etc; Theft: \$500 Plus - All charges NP	
HQL-2015-012432	Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime - All dispositions NP	
HQL-2014-013059	deadly weapon not guilty	
HQL-2015-005547		
HQL-2015-009424	Assault 1st-NP; Assault 2nd-Stet; Dangerous Weapon-Conceal-Stet; Dangerous Weapon-Int/Injure-PBJ	
HQL-2014-014203	domestic violence order denied	
HQL-2014-008295	assault 2nd abated by death	
HQL-2013-003295	<b>Amed Robbery/Assault 1st (15 total charges) all charges were NP except GUILTY on Con-Armed Robbery - HQL Revoked</b>	
HQL-2016-019890	no criminal records found	
HQL-2017-018702	no criminal records found	
HQL-2016-026395	Assault 1st - NP; Assault 2nd - NP	
HQL-2014-005241	cannot find any records	
HQL-2016-026379	Assault 1st; Assault 2nd - all charges dismissed	
HQL-2015-010952	Assault 1st; Assault 2nd; Firearm Used/Fel-Viol Crime; Handgun on Person - All Cases NP	
HQL-2017-021229	no open criminal records found	
	Theft: 1,000 to under 10,000; Theft less 1,000; Theft-Scheme 1K to under 10K; 2nd hand dealer trans w/minor; 2nd hand dealer daily report; 2nd hand dealer file w/police; 2nd hand dealer holding req; 2nd hand dealer label items	
HQL-2017-020847	Theft < 1000-GUILTY; Theft 1000 to under 10000-NP; Theft Scheme 1000 to under 10000-NP; CDS: Poss Paraphernalia-NP; CDS: Possess-not marijuana-NP	
HQL-2014-009621	Sex Abuse Minor; Sex Offense 2nd Degree; Sex Offense 3rd Degree; Sex Offense 4th Degree; Assault	
HQL-2014-009270	2nd - Guilty - HQL REVOKED	

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		Assault 1st; Assault 2nd - NP on both cases. Add charges with no dispositions - had reviewed by Sgt. Durkee and he said ok to let approval go as they lumped the charges into 3
HQL-2016-004777		
HQL-2016-012127		GUILITY - sex abuse minor - HQL REVOKED
HQL-2017-020356		no open criminal records found
HQL-2013-001776		Assault 1st&2nd; Firearm Use/Fel-Viol Crime; Handgun on Person; MDOP + 1,000 - All charges NP
HQL-2013-000085		GUILITY - Assault 2nd Degree on 5/5/2015 - HQL REVOKED
HQL-2014-001484		Assault 1st - NP; Assault 2nd - GUILITY; Reckless Endanger-NP; Handgun Person-NP; Handgun Vehicle-NP; Firearm Use-NP - HQL REVOKED
HQL-2016-018864		Burglary 4th; MDOP - \$1,000 both dismissed; MDOP - \$1,000 - NG
HQL-2014-012708		cannot find any records
HQL-2015-016535		Assault 1st; Assault 2nd; Firearm Use-Fel-Viol Crime - All charges NP
HQL-2013-003148		Assault 1st-Dismissed; Assault 2nd-Stet
HQL02015-015082		Robbery-NP; Theft less \$1,000-NP; Assault 2nd-Guilty - HQL REVOKED
HQL-2015-018365		Assault 1st; Handgun Use; Carry Handgun & Conspiracy Assault 1st - NP; Assault 2nd - PBJ / Assault 2nd; Handgun on Person - NP
HQL-2017-012078		CDS:Poss w/Int Maf/Distr/Disp - PBJ
HQL-2016-000872		no criminal case found - located a traffic case with disposition FTA
HQL-2015-000152		assault 2nd nolle pros
HQL-2015-015236		Assault 1st; Assault 2nd; Firearm Use all NP, Reckless Endangerment Judgment Stayed
HQL-2014-003072		Assault 2nd - PBJ; Firearm Use - NP; Reckless Endangerment - NP
HQL-2017-017520		no open criminal records found
HQL-2014-001146		Robbery, Assault 2nd, Theft less \$1,000 - all NP
HQL-2017-007792		CDS:Possession-Marihuana; CDS:Poss Paraphernalia - both cases Stet
HQL-2016-016677		Assault 1st-NP; Assault 2nd-NG; CDS Possession-Marihuana-NP
HQL-2016-005758		Assault 1st; Assault 2nd - All charges Stet
HQL-2014-000264		wrong SID number was listed on HQL application
HQL-2016-017340		no criminal case found - could only locate traffic cases
HQL-2014-006201		Harras;A course of conduct; Tel Misuse:Repeat Calls; Elec Mail Harrass - all charges: Stet
HQL-2016-021326		Burglary 3rd-NP; Burglary 4th-NP; Assault 2nd-PBJ/Supevised Probation - HQL REVOKED
HQL-2017-016643		no open criminal records found
HQL-2017-022881		no open criminal records found
HQL-2014-002502		Assault 1st; Assault 2nd; Mal Dest Prop/Valu \$1,000 - All dispositions NP
HQL-2017-014692		no open criminal records found
HQL-2016-025996		Assault 1st-NP; Assault 2nd-JA; Firearm Use/Fel-Viol Crime-JA; Reckless Endangerment-JA
HQL-2015-000364		Possess Alcohol in Public - NP
HQL-2016-014993		Firearm/Drug Traf Crime; CDS: Distr Etc w/Firearm; CDS: Possess-not marijuana; CDS: Poss w/int to Dist; Firearm Use/Fel-Viol Crime; CDS: Poss w/I Dist: Narc
HQL-2014-003354		Assault 1st Noell Pros; Assault 2nd Not Guilty; Reckless Endanger Not Guilty; Disturbing the Peace Noell Pros
HQL-2014-004225		Assault 1st; Assault 2nd - both cases dismissed/Assault 2nd - Stet
HQL-2017-009439		no open criminal records found

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HQL-2015-012658	Armed Robbery; Firearm Use/Fel-Viol Crime; Robbery; Theft 1000-10000; Assault 2nd; Handgun on Person; Dangerous Weapon-Conceal; Dangerous Weapon-Int/Injure; Assault 1st; Handgun in Vehicle - All Charges NP
HQL-2014-009542	Assault 1st Noell Pros; Con-Assault 1st Noell Pros; Assault 2nd & Con-Assault - Judgement of Acquital
HQL-2016-004315	Assault 2nd; False Imprisonment; Mal Dest Prop/Valu-\$500 - all NP
HQL-2017-000578	Reckless Endangerment - GUILTY
HQL-2015-012185	Assault 1st-NP; Assault 2nd-NG
HQL-2017-003974	Assault 1st-NP; Assault 2nd; Reckless Endangerment
HQL-2015-001762	Sex Abuse Minor; Sex Offense 1st; Sex Offense 3rd
HQL-2015-003026	Att-Kidnap child under 16; Assault 2nd - All Charges NP
HQL-2017-008555	no open criminal records found
HQL-2015-009291	Sex Offense 2nd; Sex Offense 3rd; Child Abuse:Parent; Perverted Practice; Sodomy-General
HQL-2017-011409	no open criminal records found
HQL-2016-009161	Burglary 2nd-General; Burglary 4th-Tools; Theft: 1000 to under 10000; Mal Dest Prop/Valu-\$1000; CDS: Possess-Not Marijuana - All Charges NP
HQL-2016-007685	Assault 1st-NP; Assault 2nd-NP; Reckless Endangerment-NP; Handgun on Person-NP; Handgun in Vehicle-PBJ
HQL-2014-002612	GUILTY - Assault 2nd - HQL REVOKED
HQL-2017-023352	no open criminal records found
HQL-2017-020067	no open criminal records found
HQL-2017-016508	no open criminal records found
HQL-2017-007782	no open criminal records found
HQL-2014-005367	Assault 1st-NP; Assault 2nd-NP; Handgun in Vehicle-PBJ; Reckless Endangerment-NP
HQL-2014-008728	Armed Robbery-GUILTY; Firearm Use-Fel-Viol Crime-GUILTY; Impersonation UU/Uniform-GUILTY
HQL-2015-000293	Armed Robbery-NP; Robbery-NP; Assault 1st-NP; Assault 2nd; Theft Less \$1,000; Con-Armed Robbery; Con-Robbery; Firearm Use/Fel-Viol Crime
HQL-2016-009660	Assault 1st; Assault 2nd - All charges dismissed
HQL-2014-006260	poss control danger substance-NP; Poss w/intent use drug paraphnelia -NP; handgun on person-Stet; handgun in vehicle-Stet; poss firearm/ammo/minor-Stet
HQL-2015-000693	Manslaughter by Auto-GUILTY; Homicide MV Intox -NP - HQL REVOKED
HQL-2015-009435	Assault 1st; Assault 2nd; Firearm Use/Felony/Violent Crime
HQL-2016-017364	Assault 1st; Assault 2nd; Reckless Endangerment; Mal Dest Prop - \$1,000
HQL-2015-004562	Sex Abuse Mnr/Cont Course Crndct; Sex Abuse Minor:House/Fam; Rape 2nd; Assault 2nd; Sexual Solicitation of a Minor; Indecent Exposure; CDS:Poss-Marijuana 10GM+
HQL-2017-011099	no open criminal records found
HQL-2014-012912	Assault 1st; Assault 2nd; Reckless Endangerment; Handgun in Vehicle; Handgun on Person; Firearm Use/Fel-Viol Crime
HQL-2014-003801	Assault 1st/Assault 2nd both dismissed/Assault 2nd-Stet
HQL-2016-021836	Robbery with Deadly Weapon (DJS) - Sustained/Delinquent - Revocation Overturned expungment paperwork recd

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HQL-2016-022152	Assault 1st; Assault 2nd; Reckless Endangerment; Handgun on Person - All Charges NP
HQL-2016-021832	Malicious Destruction of Property
HQL-2015-011274	Assault 2nd; Reckless Endangerment; Handgun on Personal / all charges NP; CDS Possession Marijuana Arrest 7/9/2016 - HQL REVOKED
HQL-2016-004316	Murder 1st-GUILTY; Assault 1st-NP; Use Hangun/Crime of Viol/Comm-GUILTY; Carry Hangun-NP; Transport Handgun on Roadway-NP - HQL REVOKED
HQL-2015-005166	CDS Poss W/Int To Dist; CDS; Possess-Not Marijuana - all charges NP
HQL-2017-01694	no open criminal records found
HQL-2015-018075	all charges listed as NP
HQL-2014-012558	GUILTY - CDS Possession with Intent to Distribute Marijuana on 7/2/2015 - HQL REVOKED
HQL-2015-011860	Att 1st Degree Murder; Att 2nd Degree Murder; Assault 1st; Firearm Use-Fel/Viol Crime
HQL-2014-012447	Assault 1st; Assault 2nd - all charges NP
HQL-2015-017440	Mal Destruction property Value + \$300 / NP
HQL-2017-013450	no open criminal records found
HQL-2015-001337	Att 1st Degree Murder; Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime; Armed Robbery
HQL-2016-011117	no criminal case found
HQL-2014-012654	Assault 1st Noell Pros; Assault 2nd; Reckless Endanger - NOT GUILTY
HQL-2015-016216	could not find any criminal records
HQL-2014-013465	Robbery; Assault 2nd; Theft 1-10,000 Noell Pros
HQL-2013-003518	Assault 1st; Assault 2nd
HQL-2014-007544	Assault 1st; Assault 2nd - All Charges NP
HQL-2015-012721	Assault-1st; Assault 2nd; Dangerous-Sec Degree - all charges NP
HQL-2015-003404	Assault 1st-dismissed; Assault 2nd-dismissed; Burglary 4th-NP; Theft \$1,000-10,000-NP;
HQL-2015-014018	Resist/Interfere w/Arrest-NP; Assault 2nd-NG/PBI-Unsupervised
HQL-2015-014018	Assault 1st-NP; Firearm Use/Fel-Viol Crime-NP; Assault 2nd-NG; Dangerous Weapon-Int/Injure-NG
HQL-2016-027329	Burglary 2nd-General; Burglary 4th-Store; Burglary 4th-Theft; MDOP \$1000; Theft 1500 to under 25000
HQL-2017-004664	Assault 1st; Assault 2nd
HQL-2016-016595	no criminal case found
HQL-2015-004174	Assault 2nd; Assault 1st; Reckless Endangerment
HQL-2015-012721	Assault 1st; Assault 2nd; Dangerous Weapon-Int/Injure - NP on all cases
HQL-2017-010106	Burglary 1st-NP; Burglary 3rd-NP; Burglary 4th-Stet; Assault 2nd-NP
HQL-2014-014505	Assault 1st; Assault 2nd; Firearms-Access by Minors - all charges Dismissed
HQL-2016-023045	Assault 2nd; MDOP - \$1,000; Assault 1st - All Dismissed; Assault 2nd - PBJ
HQL-2014-013559	Assault 1st-NP; Assault 2nd-NP
HQL-2017-015391	no open criminal records found
HQL-2016-008031	all charges under applicant's name are Traffic charges
HQL-2015-004958	Handgun in Vehicle; Assault 1st; False Imprisonment; Handgun on Person
HQL-2015-006996	GUILTY - Assault 2nd & Mal Destruction 1000+ - HQL REVOKED (no disposition on Burglary 3rd)
HQL-2013-003808	Assault 1st; Assault 2nd - NP on both cases
HQL-2015-001495	Attempt 1st Degree Murder; Consp 1st Degree Murder; Assault 1st; Assault 2nd; Firearm Use/Fel-Viol Crime

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HQL-2014-011418	Assault 1st; Reckless Endangerment - All Charges NP
HQL-2015-016434	Assault 2nd - Stet
HQL-2013-002197	<b>GUILTY-Assault 1st Degree; GUILTY Handgun on Person on 11/24/2014 - HQL REVOKED</b>
HQL-2015-013707	no open criminal records found
HQL-2016-019344	Assault 1st; Assault 2nd; Dangerous Weapon-Int/Injure
HQL-2016-007391	Assault 2nd; Assault 1st; Assault 2nd; Theft \$100-1500; Mal Dest Prop/Value -\$1000
HQL-2014-009588	Assault 1st; Assault 2nd; Reckless endangerment; Dangerous Weapon-Int/Injure
HQL-2017-014646	no open criminal records found
HQL-2017-020597	no criminal cases found
HQL-2017-019977	no open criminal records found
HQL-2017-017954	no open criminal records found
HQL-2014-003633	Assault 1st Not Guilty; Assault 2nd Dropped/No info
HQL-2013-001583	<b>GUILTY - CDS:Production Equipment - HQL REVOKED</b>
HQL-2015-005868	Assault 1st; Firearm Use/Fel-Viol Crime - All charges Stet
HQL-2014-008202	handgun on person-NP ; illegal poss ammo-Guilty - HQL REVOKED
HQL-2017-002344	Assault 1st; Assault 2nd
HQL-2016-007954	Burglary 1st; Burglary 3rd; Burglary 4th; MDOP - \$1,000; Theft less than \$1,000
HQL-2013-002545	Handgun on Person - PBJ / all other charges NP
HQL-2014-003644	Robbery - NP; Assault 2nd - Guilty; Theft less \$100 - Guilty - HQL REVOKED
HQL-2016-014976	Burglary 3rd; Assault 1st; Assault 2nd; Reckless Endangerment; False Imprisonment; Burglary 4th - All NP
HQL-2016-003994	Murder 1st; Murder 2nd; Assault 1st; Assault 2nd; Handgun on Person
HQL-2016-024874	no criminal cases found
HQL-2013-001754	Attempted 1st Degree Murder + 16 other charges - All charges NP or NG
HQL-2015-012490	Assault 1st; Assault 2nd; Reckless Endangerment; Disorderly Conduct; Dangerous Weapon-Conceal; Dangerous Weapon-Int/Injure; Handgun on Person; Handgun in Vehicle-Guilty - HQL REVOKED
HQL-2014-008335	Assault 1st; Reckless Endangerment; Dangerous Weapon-Int/Injure; Mace/Chem Device-Int/Injure- All Charges NP
HQL-2015-004449	Protective Order expired
HQL-2016-008046	Armed Robbery-NP; Con-Armed Robbery-NP; Robbery-NP; Assault 1st-NP; Assault 2nd; Reckless Endangerment; Theft less \$100; Firearm Use/Fel-Viol Crime
HQL-2015-012195	could not find any criminal records
HQL-2017-021119	no open criminal records found
HQL-2016-006650	no criminal case found
HQL-2016-003205	Assault-First; Assault-Sec both dismissed. Theft \$300 Plus-PBJ Supervised; False Stmt to Ofcr-Stet; Man Serial #:Remov/Oblit-Guilty (misdemeanor max 18 mos)
HQL-2014-006116	Attempted 1st Degree Murder + 7 other charges - all charges NOT CRIMINALLY RESPONSIBLE - HQL REVOKED
HQL-2017-009474	Assault 1st; Assault 2nd; Theft less \$100
HQL-2016-001454	Assault 1st-NP; Assault 2nd-NP; MDOP - \$1,000-Guilty
HQL-2016-013685	Handgun in vehicle; assault weapon pss/sell - both NP
HQL-2017-021845	no open criminal records found

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HQL-2015-000689	Assault 1st; Assault 2nd & Firearm Use/Fel-Viol Crime - All charges NP
HQL-2014-015241	Attempted 1st Degree Murder-NG; Attempted 2nd Degree Murder-NG; Asslt 1st degree-GUILTY; Asslt 2nd degree-GUILTY; reckless endangerment-GUILTY - HQL REVOKED
HQL-2016-006833	Assault 1st; Assault 2nd; Resit/Interfere with Arrest - ALL CHARGES DISMISSED
HQL-2014-012371	Armed Robbery; Robbery; Firearm Use/Fel-Viol Crime; Rogue and Vagabond; Assault 2nd; Theft 100 to under 1500
HQL-2016-010741	Burglary 4th-PBJ Supervised(ended)
HQL-2017-017704	could not find any criminal records
HQL-2017-013120	could not find any criminal records
HQL-2017-013054	could not find any criminal records
HQL-2015-014591	Guiltly - School: Trespass on Ground/PBJ supervised / Guilty - CDS: Poss-Marijuana/PBJ Unsupervised
HQL-2017-004166	Reckless Endangerment-GUILTY; Discharge Firearm in Metro Area-NP - HQL REVOKED
HQL02015-001632	Assault 2nd; Handgun on Person; Assault 1st - All charges NP
HQL-2016-014004	cannot find any records
HQL-2013-002560	Regulated Firearm Stolen-Possess/Sell/Transfer/Dispose Of-GUILTY - HQL REVOKED
HQL-2014-004833	Assault 1st-dismissed; Assault 2nd-NP; Assault 2nd-PBJ unsupervised
HQL-2017-016140	no open criminal records found
HQL-2017-01442	no open criminal records found
HQL-2017-023584	no open criminal records found
HQL-2015-016181	Assault 1st; Assault 2nd; Reckless Endangerment - All charges NP
HQL-2016-022161	CDS;Poss w/Intent Dist: Narc; CDS;Possess-Not Marijuana
HQL-2017-013164	could not find any criminal records
HQL-2017-020712	could not find any criminal records
HQL-2014-013148	Assault 2nd PBJ; Child Abuse 2nd; Reckless Endangerment NP; Firearm Use-NP; Handgun in Vehicle-PBJ
HQL-2016-002313	Assault 2nd-NP; Mal Dest Prop-NP - \$1,000; Burglary 4th-GUILTY - HQL REVOKED
HQL-2014-008268	GUILTY - Assault 2nd; Handgun on Person - HQL REVOKED
HQL-2014-006710	Murder 1st; Murder 2nd; Assault 1st; Assault 2nd; Deadly Weapon-Int/Injure
HQL-2015-002957	Assault 1st Noell Pros; Assault 2nd Stet
HQL-2016-007986	Att 1st Degree Murder; Att 2nd Degree Murder; Assault 1st; Firearm Use-Fel/Viol Crime; Assault 2nd; Handgun on Person; Dangerous Weapon-conceal - All Charges NP
HQL-2017-013742	no open criminal records found
HQL-2017-008665	cannot find any criminal records
HQL-2017-020215	cannot find any criminal records
HQL-2016-022719	Assault 1st; Assault 2nd; Reckless Endangerment; Deadly Weapon-Int/Injury - All Acquitted
HQL-2017-005035	no open criminal records found
HQL-2017-002939	no open criminal records found
HQL-2016-024626	Assault 1st-NP; Assault 2nd-PBJ; Reckless Endangerment-NP
HQL-2017-022283	Assault 1st; Assault 2nd
HQL-2014-014000	Rape 1st; Rape 2nd; Assault 1st; Assault 2nd; False Imprisonment
HQL-2015-016047	Stalking - NP; Harras-Dismised; Assault 1st-Dismised; Assault 2nd-Dismised; False Imprisonment-Dismised; Firearm Use-Dismised

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HQL-2017-020824	no open criminal records found
HQL-2016-014661	CDS PID - PBJ; CDS Poss - NP
HQL-2014-009305	cannot find any records
HQL-2015-013298	Assault 1st; Assault 2nd; reckless endangerment; firearm use/fel-viol crime - All NP
HQL-2015-007661	cannot find any records
HQL-2013-002857	handgun in vehicle-GUILTY; handgun on person-NP; assault 1st-NP; Assaulty 2nd-GUILTY - HQL REVOKED
HQL-2017-014621	cannot find any records
HQL-2016-021942	Assault 1st; Assault 2nd - All Charges NP
HQL-2015-000287	cannot find any records
HQL-2014-001572	Assault 1st; Assault 2nd
HQL-2017-012286	cannot find any records
HQL-2014-004850	CDS: Poss w/Intent to Dist:Narc; CDS: Possess-Not Marijuana; CDS: Poss w/Int to Dist; CDS: Possession-Marijuana
HQL-2014-006640	Sex Abuse Minor; Sex Off 4th; Assault 2nd - Mistrial all charges
HQL-2015-005684	Assault 1st; Assault 2nd; Dangerous Weapon-Int/Injure
HQL-2015-012956	Assault 1st; Assault 2nd - dismissed on both cases
HQL-2016-022133	Assault 1st-NP; Assault 2nd-NG
HQL-2014-010681	Assault 2nd-NG; Assault 1st-NP
HQL-2017-010660	Assault 2nd; Burglary 1st - all dispositions NP
HQL-2016-012879	Burglary 1st plus 31 other charges - All Stet
HQL-2014-010678	could not find any criminal records
HQL-2017-013165	could not find any criminal records
HQL-2014-011095	Assault 1st-NP; Assault 2nd-Judgment Stayed; Reckless Endangerment-NP; Firearm Use/Felony/Violent Crime-NP
HQL-2017-012864	Attempted 1st Degree Murder; Attempted 2nd Degree Murder; Use Handgun/Crime of Viol/Comm - All Dispositions: Not Guilty
HQL-2017-016317	no open criminal records found
HQL-2014-011600	Assault 1st; Assault 2nd - NP on both cases
HQL-2017-017352	no open criminal records found
HQL-2015-000437	Assault 1st; Att 2nd Deg Murder - Both NP Assault 2nd-Merged; Reckless Endangerment-PBJ
HQL-2015-008799	Assault 1st; Assault 2nd; Reckless Endangerment; Mal Dest Prop - \$1,000
HQL-2014-012839	cannot find any criminal records
HQL-2014-012952	Assault 1st; Assault 2nd; Theft less \$1,000 - All charges NP
HQL-2015-012508	Handgun on Person - NP/Assault 2nd - PBJ; Reckless Endangerment - NP
HQL-2014-014474	Sex Offense 3rd - Guilty on 8/17/2016 - HQL REVOKED
HQL-2014-011588	GUILTY - Sex Offense Minor; Handgun on Person on 7/1/2015 - HQL REVOKED
HQL-2017-018875	no open criminal records found
HQL-2017-009849	Burglary 3rd; Burglary 4th; Assault 2nd - All dispositions NP
HQL-2014-015161	Assault First Degree - Nolle Pros
HQL-2015-006744	GUILTY - CDS Possess with intent to Distribute - HQL REVOKED
HQL-2014-014935	Assault 1st-NP; Assault 2nd-NG; Dangerous Weapon-NG; Reckless Endangerment-JA
HQL-2016-010515	could not find any criminal records

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HQL-2015-003185	Burglary 1st; Con-Burglary; Theft less \$1,000; Mal Dest Prop/Valu -\$1,000
HQL-2015-003945	CDS: Poss w/intent to Distri-Narc (total 38 charges) NP on all charges
HQL-2017-021726	could not find any active criminal records
HQL-2015-006424	Assault 1st-NG; Assault 2nd-NG; Firearm Use-NP; Reckless Endangerment-NG
HQL-2017-020137	no open criminal records found
HQL-2017-010139	Burglary 3rd-Dismissed; Assault 2nd-Dismissed; Assault 2nd-Stet; Burglary 4th-Stet
HQL-2015-009934	Assault 1st; Assault 2nd
HQL-2016-008163	Assault 2nd - NP
HQL-2016-005137	Assault 1st-NP; Assault 2nd-NG; Reckless Endangerment-NG; Mal Dest Prop - \$1,000-NG
HQL-2017-011434	Assault 1st - Dismissed; Assault 2nd - Dismissed/NP; Dangerous Weapon-Int/Injure - NP
HQL-2015-010196	Assault 1st-dismissed; Assault 2nd-dismissed; Assault 2nd-judgment of Acquital; Dangerous Weapon-Int/Injure-Judgment of Acquital
HQL-2015-016143	Reckless Endangerment-Guilty; Mal Dest prop -\$1,000-NP; assault 1st-NP - HQL REVOKED
HQL-2016-007987	Handgun on Person; Assault 2nd; Assault 1st; Reckless Endangerment; Firearm Use/Fel-Viol Crime - NP all charges
HQL-2015-012533	Assault 1st-NP; Assault 2nd-Judgment Stayed
HQL-2017-003265	could not find any active criminal records
HQL-2015-014219	Assault 1st
HQL-2017-014830	could not find any active criminal records
HQL-2017-023268	could not find any active criminal records
HQL-2015-014357	Assault 1st-NP; Assault 2nd
HQL-2015-015700	Assault 2nd - NP
HQL-2016-012389	Burglary 4th; MDOP + 1,000; Disorderly Conduct; Burglary 3rd - All cases Dismissed
HQL-2015-017331	Burglary 1st-NP; MDOP/Valu -\$1,000-Stet; Theft less \$1,000-Stet; Cred Card: Steal Anothers-Stet
HQL-2016-012340	Assault 1st; Assault 2nd - NP on both cases
HQL-2015-017898	GUILITY - Reckless Endangerment - HQL REVOKED
HQL-2016-011302	GUILITY - Assault 2nd; Reckless Endangerment - HQL REVOKED
HQL-2017-016615	no open criminal records found
HQL-2016-007872	Assault 1st-Dismissed; Assault 2nd-Stet; Mal Dest Prop/Valu \$1,000-Stet; Theft less than 100-Dismissed-Stet
HQL-2016-008578	Kidnapping; Assault 2nd; Sex Off 4th-Sex Contact
HQL-2017-009928	Assault 1st; Assault 2nd; Reckless Endangerment; Theft less \$1,000; robbery
HQL-2016-012237	Burglary 1st; Burglary 4th-dwelling; Burglary 4th-theft; Theft less 1000; Burglary 3rd - All charges Stet
HQL-2016-012999	CDS:Possess Marijuana 10GM+; CDS: Poss Paraphernalia - All charges NP
HQL-2016-020714	Assault 1st; Assault 2nd; Reckless Endangerment - All cases NP
HQL-2016-013488	CDS:Possess-Not Marijuana-GUILTY - HQL REVOKED
HQL-2016-024773	Assault 1st-NP; Assault 2nd-Guilty; Reckless Endangerment-Guilty - HQL REVOKED
HQL-2016-027380	Armed Robbery; Reckless Endangerment; Assault 2nd; Assault 1st
HQL-2016-014448	Assault 1st; Firearm Use/Fel-Viol Crime; Assault 2nd; Reckless Endangerment; Handgun in Vehicle;
HQL-2016-017379	Handgun on Person; Mal Dest Prop/Valu-\$1,000
HQL-2016-017379	Assault 1st-NP; Assault 2nd-NP; Reckless Endangerment-PBJ; Theft less \$1,000-Stet

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HQL-2017-004676	Sex Abuse Minor:House/Fam; Sex Offense 3rd; Assault 2nd; Sex Offense 4th-Sex Contact; Sex Offense 2nd; Sex Abuse Minor/Cont Course Cond
HQL-2017-012206	kidnapping; Assault 2nd; Handgun on Person; False Imprisonment
HQL-2017-000859	could not find any criminal records
HQL-2017-020420	no open criminal records found
HQL-2017-000870	could not find any criminal records
HQL-2016-025144	Assault 1st-Dismissed; Assault 2nd-Stet
HQL-2016-020702	Assault 1st; Assault 2nd; Firearm Use/Fel Viol Crime; Reckless Endangerment - All cases NP
HQL-2015-015685	Harrass - all charges NP
HQL-2015-006620	nothing beyond 1992
HQL-2015-001341	GUILITY - Handgun in Vehicle on 7/30/2015 - HQL REVOKED
HQL-2015-013162	Handgun on Person (NY charge)/Pled down to disorderly conduct
HQL-2014-009152	Handgun on Person - PBJ / all other charges NP
HQL-2014-007930	Poss of Controlled Substance
HQL-2016-012237	MDOP + 1,000; Harass; A Course of Conduct; Elec Mail Harrass
HQL-2017-013506	Handgun in Vehicle; Handgun on Person; Reg Firearm:Illegal Possession
HQL-2016-024877	Extortion-Threat Verbally; Theft Scheme 1000-10000; Conspiracy Theft Scheme 1000-10000
HQL-2014-001528	Extortion-Threat Verbally; Theft Scheme 1000-10000; Conspiracy Theft Scheme 1000-10000
HQL-2017-014394	Extortion-Threat Verbally; Theft Scheme 1000-10000; Conspiracy Theft Scheme 1000-10000
HQL-2017-011118	Assault 2nd-NP; Mal Dest Prop + 1,000
HQL-2017-017035	Assault 2nd - NG
HQL-2016-002967	Assault 2nd; School:Disturb Operation - All dispositions: Stet

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## **Declaration Exhibit 7**

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# MARYLAND STATE POLICE

Maryland Department of State Police / Licensing Division  
1111 Reisterstown Road  
Pikesville, Maryland  
Office: (410) 653.4500 / Fax: (410) 653.4036

## ADVISORY

LD-HQL-17-003

NOVEMBER 17, 2017

### INTERPRETATION OF "RECEIVE" IN PS §5-117.1

PUBLIC SAFETY §5-117.1(c) states that "A person may purchase, rent, or receive a handgun only if the person:

(1) (i) possesses a valid handgun qualification license issued to the person by the Secretary in accordance with this section;..."

The Maryland State Police (MSP) has applied the ruling in *Chow v. State*, 393 Md. 431 (2006) to interpret the definition of "receive" as it pertains to PS §5-117.1(c). *Chow* held "the temporary gratuitous exchange or loan of a regulated handgun between two adult individuals, who are otherwise permitted to own and obtain a regulated handgun, does not constitute an illegal "transfer" of a firearm..." The MSP views "transfer" and "receive" as equivalent for purposes of Maryland's firearms laws and interprets "receive" as including the gratuitous **permanent** exchange of title or possession, but excluding temporary gratuitous exchanges or loans of handguns.

Therefore, an individual, not otherwise prohibited from owning or possessing regulated firearms, is not required to possess an active HQL in order to borrow a regulated firearm from another individual on a temporary basis.

If you have any questions regarding this matter, please contact the Handgun Qualification License Unit, by email, at [msp.hql@maryland.gov](mailto:msp.hql@maryland.gov), or call the Licensing Division at 410-653-4500. Thank you for your attention to this matter.

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MSP001432

## **Declaration Exhibit 8**

DOUGLAS F. GANSLER  
ATTORNEY GENERAL

KATHERINE WINFREE  
Chief Deputy Attorney General

JOHN B. HOWARD, JR.  
Deputy Attorney General



DAN FRIEDMAN  
Counsel to the General Assembly

SANDRA BENSON BRANTLEY  
BONNIE A. KIRKLAND  
KATHRYN M. ROWE  
Assistant Attorneys General

THE ATTORNEY GENERAL OF MARYLAND  
OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY  
March 12, 2013

The Honorable Sam Arora  
Maryland House of Delegates  
House Office Building, Room 224  
Annapolis, Maryland 21401

**Re: Senate Bill 281, The "Firearm Safety Act of 2013"**

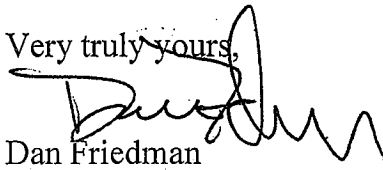
Dear Delegate Arora:

You have asked for my advice about the meaning of the word "receive" as used in Senate Bill 281, the "Firearm Safety Act of 2013." As you know, the bill would require people to possess a valid handgun qualification license to "purchase, rent, or receive" a handgun. Your question is whether a temporary transferee would be required to obtain such a license.

The answer is, of course, a matter of statutory interpretation and a reviewing court's job will be to try to determine the legislature's intent. Absent a clear manifestation of a contrary intent, however, I think a court will very likely interpret "receive" in the same spirit that it interpreted "transfer" in a recent handgun-related case, *Chow v. State*, 393 Md. 431 (2006). In *Chow*, the Court interpreted "transfer" to be limited to permanent transfers. It specifically held that temporary exchanges or loans did not meet the definition. Under that same understanding, someone "receives" a handgun when they accept the permanent "transfer" of possession, not a temporary exchange or loan. It is also my understanding that the drafters of SB 281 intended to adopt this view. Thus, if someone who doesn't have a handgun qualification license were to obtain possession of a handgun on a temporary basis with the intent to return it to the owner, she would not violate the statute. Of course, the legislature is free to manifest a contrary intent.

I hope this assists you.

Very truly yours,

  
Dan Friedman  
Counsel to the General Assembly

## **Declaration Exhibit 9**

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# MARYLAND STATE POLICE

Maryland Department of State Police / Licensing Division  
1111 Reisterstown Road  
Pikesville, Maryland  
Office: (410) 653.4500 / Fax: (410) 653.4036

## ADVISORY

**LD-HQL-17-004**

**NOVEMBER 17, 2017**

### ALTERNATIVE AMMUNITION FOR HANDGUN QUALIFICATION LICENSE (HQL) LIVE FIRE TRAINING COMPONENT

PUBLIC SAFETY §5-117.1(c)(3)(iii) requires a firearms orientation component that demonstrates the person's safe operation and handling of a firearm, which includes, as required by COMAR 29.03.01.29.C(4), a practice component in which the applicant safely fires at least one round of live ammunition.

The Maryland State Police (MSP) has received several requests to review alternative non-lethal, marking projectiles to satisfy the "live fire" component of the HQL training requirement. The MSP has determined that the use of non-lethal marking projectiles would meet the HQL "live fire" training requirement provided that the non-lethal marking projectile meets the following requirements:

- 1) meets the definition of "ammunition" as defined in Public Safety §5-133.1(a): "a cartridge, shell, or any other device containing explosive or incendiary material designed and intended for use in a firearm;" and
- 2) can be fired from a firearm as defined in Public Safety §5-101(h)(1)(i): "a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive."

If you have any questions regarding this matter, please contact the Handgun Qualification License Unit, by email, at [msh.hql@maryland.gov](mailto:msh.hql@maryland.gov), or call the Licensing Division at 410-653-4500. Thank you for your attention to this matter.

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MSP001433

## **Declaration Exhibit 10**



**LARRY HOGAN**  
GOVERNOR

**BOYD K. RUTHERFORD**  
LT. GOVERNOR

STATE OF MARYLAND  
**MARYLAND STATE POLICE**  
Licensing Division  
1111 Reisterstown Road  
Pikesville, Maryland 21208  
410-653-4500



**COLONEL**  
**WILLIAM M. PALLOZZI**  
SUPERINTENDENT

September 30, 2016

Mr. David Deanovich  
Spartan Tactical & Police Supply LLC  
5735 Industry Lane, Suite 104  
Frederick MD 21704

Dear Mr. Deanovich,

On August 19, 2016, the Maryland Department of State Police, hereinafter referred to as MDSP, received a request for our review of the Ultimate Training Munitions (UTM) Target Shooting Ammunition for approval and use to meet the required "live fire component" for the Handgun Qualification License and the Handgun Permit Training Course. The MDSP has reviewed your request, and the following information is offered.

The UTM product, manufactured by Ultimate Training Munitions, expels a marking projectile by the action of an explosive charge. This type of training ammunition can be fired from special-purpose weapons or converted standard firearms.  
<https://www.utmworldwide.com>.

The MDSP has determined that the use of UTM Target Shooting Ammunition, or similar ammunition, would meet the Handgun Qualification License training criteria, Public Safety 5-117(d)(3)(iii) and COMAR 29.03.01.29.C(4), for demonstrating the applicant's safe operation and handling of a firearm. The MDSP has determined that the use of UTM Target Shooting Ammunition, or similar ammunition, would meet the Handgun Permit Training Course criteria, Public Safety 5-306(a)(5)(iii) and COMAR 29.03.02.05.C(4), for demonstrating the applicant's safe operation and handling of a firearm.

Therefore, the MDSP is in support of and approves your request to use UTM Target Shooting Ammunition to meet the required "live fire component" for the Handgun Qualification License and the Handgun Permit Training Course. A COMAR Amendment, as well as a Licensing Division's Bulletin to Qualified Handgun Instructors, will be forthcoming.

Mr. David Deanovich  
September 30, 2016  
Page Two

Thank you, once again, for taking time from your schedule to express your interest in this matter. You may be assured of my continued cooperation in all matters of mutual concern.

Sincerely,

*Andy R. Johnson – Captain*

Andy R. Johnson – Captain  
Commander, Licensing Division  
Maryland Department of State Police

ARJ:cmh



LARRY HOGAN  
GOVERNOR

BOYD K. RUTHERFORD  
LT. GOVERNOR

STATE OF MARYLAND  
MARYLAND STATE POLICE  
Licensing Division  
1111 Reisterstown Road  
Pikesville, Maryland 21208  
410-653-4500



COLONEL  
WILLIAM M. PALLOZZI  
SUPERINTENDENT

February 2, 2016

The Honorable John W.E. Cluster, Jr  
Maryland House of Delegates  
9607 Dixon Avenue  
Baltimore MD 21234

Dear Delegate Cluster:

Thank you for your correspondence to Attorney General Brian E. Frosh, dated November 12, 2015, concerning the use of Simunition Marking Munitions to meet the required "live fire component" for the Handgun Qualification License. The Maryland Department of State Police, hereinafter referred to as MDSP, has reviewed your request, and the following information is offered.

The Simunition product, manufactured by General Dynamics, expels a marking projectile by the action of an explosive charge. This type of training ammunition can be fired from special-purpose weapons or converted standard firearms.

The MDSP has determined that the use of Simunition Marking Munitions, or similar training ammunition, would meet the Handgun Qualification License training criteria, Public Safety § 5-117(d)(3)(iii) and COMAR 29.03.01.29.C(4), for demonstrating the applicant's safe operation and handling of a firearm. This is so because the weapon discharging the round would be a "firearm" under Public Safety § 5-101(h) and because the Simunition round does expel a projectile by action of an explosive charge and would be considered "live ammunition."

Therefore, the MDSP is in support of and approves your request to use Simunition Marking Munitions to meet the required "live fire component" for the Handgun Qualification License. A COMAR Amendment, as well as a Licensing Division's Bulletin to Qualified Handgun Instructors, will be forthcoming.

Thank you, once again, for taking time from your schedule to express your interest in this matter. Should you have any additional questions, please do not hesitate to contact me, by telephone, at 410-653-4502, or by email at [adam.stachurski@maryland.gov](mailto:adam.stachurski@maryland.gov). You may be assured of my continued cooperation in all matters of mutual concern.

Sincerely,

Adam J. Stachurski – Captain  
Commander, Licensing Division  
Maryland Department of State Police

AJS:cmh

MSP000272